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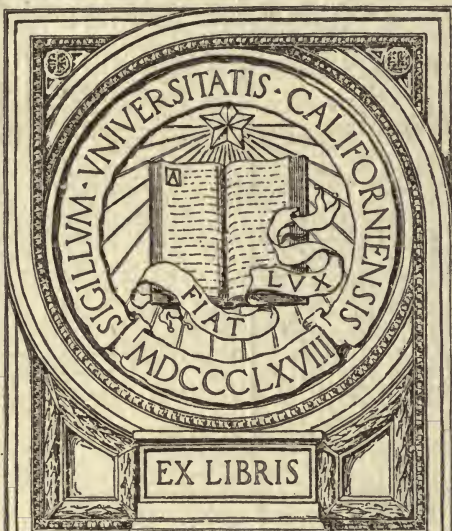
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INDIANA

SCHOOL LAWS

Enacted by the General Assembly of 1913

*Arranged by the State Department
of Public Instruction*

CHAS. A. GREATHOUSE
State Superintendent

INDIANAPOLIS:
WM. E. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING
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INDIANA.

School Laws Enacted by the General Assembly
of 1913.

This pamphlet, containing those school laws passed by the General Assembly of 1913 that are of general interest, is issued in the hope that it may be valuable and convenient to the school officials of the State.

CHAS. A. GREATHOUSE,
Superintendent of Public Instruction.

TO THE
LIBRARY OF THE
INDIANA LEGISLATIVE
SERIES

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SCHOOL LAWS OF 1913.

[H. 21. Approved March 6, 1913.]

Township—Emergency Expenditures—Called Meeting Advisory Board.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one of the above entitled act be amended to read as follows: Section 1. That section six be amended to read as follows: Section 6. Upon a special call of the township trustee, or the chairman of the advisory board or a majority of the members of said board, given in writing to each member thereof, stating the time, place and purpose of the meeting, said board may, if a quorum be present, by consent of a majority of all the members present, determine whether an emergency exists for the expenditure of any sums not included in the existing estimates and levy. In the event that such an emergency is found to exist said board may authorize by special order entered and signed upon the record, the trustee to borrow a sum of money to be named sufficient to meet such emergency; and at the next annual session of the board a levy shall be made to the credit of the fund for which such expenditure is made to cover and pay the debt so created: *Provided, however*, That if at any annual or special meeting of said board it shall be found indispensably necessary to provide for the construction of a school building, the cost of which building or the proportionate cost thereof if the same be a joint graded high school building will be in excess of the sum available therefor out of any annual levy, then in that event, such board may authorize such trustee to issue township warrants or bonds to pay for such building, or the proportionate cost thereof, such warrants or bonds to run for a period of not exceeding fifteen (15) years; and to bear not exceeding six per centum per annum, and to be sold for not less than par; the township trustee, before issuing such warrants or bonds, shall advertise that bonds are to be sold in not less than one issue a week for three

weeks, in one paper of general circulation in the county and one paper of general circulation in the state capital, setting forth the amount of bonds offered, the denomination, the period to run, rate of interest and the date, place and hour of selling. The township advisory board shall attend the sale of bonds and shall concur therein before such bonds are sold. The board shall annually levy sufficient taxes to pay at least one-fifteenth of such warrants or bonds, with interest, each year, and the trustee shall apply such annual tax to the payment of such warrants or bonds each year. In no event shall a debt of the township be created except by the advisory board of such township, and in the manner herein specified, and any payment of any debt not so authorized from the public funds of such township shall be recoverable upon the bond of the trustee in a suit, which it is hereby made the duty of said board to institute and prosecute in the name of the state, for the use of said township. And said board is hereby empowered to appropriate, and the township trustee shall pay out of the township funds a reasonable sum for attorney's fees for such purpose. And if the board, on the written demand of any taxpayer, fails for thirty (30) days to bring suit, then such or any other taxpayer may bring the same, in the name of the state, for the use of the township: *Provided, however, Nothing contained herein shall affect any pending litigation.*

Emergency.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[H. 544. Approved March 10, 1913.]

Township Trustee—Meeting of Advisory Board—Emergency Expenditures.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana, That section one (1) of the above entitled act be amended to read as follows: Section 1. Upon the special call of the township trustee, or the chairman of the advisory board, or of a majority of the members of a township advisory board, given in writing to the several members of*

such board, and the township trustee, stating the time, purpose and place of the meeting, said board may, if a quorum be present, by the consent and action of a majority of all members of the board present, determine the necessity and whether an emergency exists for the expenditure of any sum or sums not included in the existing estimates and levy. In the event that such emergency exists, the board may authorize by special order entered and signed upon record, the trustee to borrow a sum or sums not included in the existing estimates and levy to meet the demands for any road machinery, road dredge, bridges, dredge or dredges, or township machinery for hoisting road materials, or other township business; and at the next annual session of the board a levy shall be made, the same to be credited to the fund for which such expenditure is made to cover the debt so created: *Provided, however,* That if at the annual or special meeting of said board it shall be found indispensably necessary to provide for the construction of a school building, purchase of any road machinery, road dredge, bridges, dredge or dredges or township machinery for hoisting road materials, or other township business, the cost of which necessity exists, or the proportionate cost thereof will be in excess of the sum or sums available therefor out of the funds of the annual levy, then and in that event, such advisory board may authorize the trustee of such township to issue township warrants or bonds to pay for such debts so created, and if the same be for a joint graded high school building the township warrants shall be only for the proportional part or share of the debt for which the township shall be liable; the said township warrants or bonds to run for a period of not exceeding ten (10) years, and they shall bear interest at a rate not exceeding six per centum per annum, which bonds or township warrants shall be sold by the trustee, with the assent of the advisory board of the said township, for not less than par, and such advisory board shall annually levy sufficient taxes to pay at least one-tenth of such township warrants or bonds, with the annual interest thereon; the trustee of such township shall apply the annual tax levy collected each year from such levy on the township warrants bonds and the interest thereon. In no event shall a debt of the township be cre-

ated except by the advisory board of such township, and in the manner herein specified, and any payment of any debt not so authorized from the public township funds by a trustee shall be recoverable upon the bond of the trustee, in a suit, which it is hereby made the duty of the advisory board of such township, to institute and prosecute in the name of the state, for the use of the said township. And said board is hereby empowered to appropriate, and the township trustee shall pay out of the township funds, a reasonable attorney's fee for such purpose. And if the said advisory board on the written demand of any taxpayer, fails for thirty (30) days to bring suit, then such taxpayer or any other taxpayer of the said township may bring the action in the name of the state for the use of the said township: *Provided, however,* That nothing in this act shall affect any pending litigation.

Repeal.

SEC. 2. All laws and parts of laws in conflict with any of the provisions of this act are hereby repealed.

Emergency.

SEC. 3. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[S. 325. Approved March 12, 1913.]

Township Trustee—Advisory Boards—Transfer of Funds.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That if it appears to the advisory board of any township in the State of Indiana, at the next annual September meeting of such board, that there is a surplus of the road funds of such township that will not be needed for road purposes then such advisory board may, by a unanimous vote, pass a resolution and spread the same upon the minutes of such board, directing the trustee of such township to transfer all or any specified portion of such surplus road fund, to the special school fund of such township, and when any such advisory board shall make any such order it shall be the duty of the trustee to transfer said fund

in compliance to such order, which fund so transferred shall become a part of the special school fund of such township and be used for special school purposes.

[H. 156. Approved March 6, 1913.]

Schools—Bonds Legalized.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That all bonds heretofore issued by the order and direction of the board of school trustees or other authorities of any school city or school town of this state under color of any statute of this state, pursuant to the order and direction of the common council or board of trustees of such city or town, for the building of school houses where necessary to build and repair the same for the use of such school city or school town, and such school trustees having failed to comply with the laws of the State of Indiana in respect to the proper construction and sanitary conditions of the same, are hereby legalized; and all proceedings or acts of any such board of trustees of such city or town under which said bonds were issued, are hereby fully legalized, and declared valid.

Pending Litigation.

SEC. 2. Nothing in this act contained shall be so construed as to affect any pending litigation.

Emergency.

SEC. 3. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[H. 142. Approved March 7, 1913.]

Schools—Cities First Class—Right to Issue Bonds.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That the common school corporation in each city of this state of one hundred thousand, or more, inhabitants, according to the last preceding United States census, shall in addition to all other powers granted it by

law, have power to borrow money and issue its bonds therefor as hereinafter provided, viz: Each such common school corporation is hereby authorized and empowered to issue and sell its bonds, in such amounts and denominations as the board of school commissioners thereof may deem advisable, but not a face amount in the aggregate in excess of five hundred thousand dollars (\$500,000) principal, for the purpose of realizing money to be used in paying for the construction of a library building, or library buildings, for a main library or branch libraries, or both, and in paying for the equipping of such building or buildings and for the improvement of the grounds surrounding such buildings. Such bonds shall be known as "library building bonds," and they shall bear interest at a rate not exceeding four and one-half ($4\frac{1}{2}$) per centum per annum, and the interest shall be paid semi-annually. Such bonds shall be sold by the school city issuing them at not below par and shall mature not more than forty (40) years from their date. They may be issued all at one time or from time to time, but in no event in an aggregate principal sum of more than five hundred thousand dollars (\$500,000). No bond issued under the authority of this act shall be delivered until the money therefor shall have been paid to the treasurer of the school city issuing it and interest thereon shall begin to accrue at the time of such delivery. Preparatory to offering any such bonds for sale by any such school city, its board of school commissioners shall give notice for not less than three weeks of the date fixed for the sale and in the notice give a brief description of the bonds and of the mode of bidding, and inviting bids. Such notice shall be by advertisement, one time each week for three successive weeks, in one newspaper published in the city wherein the school corporation is located and in one newspaper published in the city of New York, and by such other method of advertising, if any, as the board of school commissioners may prescribe. The said board shall sell the bonds to the highest and best bidder, reserving, however, in its advertisements and notices, the right to reject any and all bids. The proceeds arising from all sales of bonds, made in pursuance of this act, shall be kept in a separate fund and to be known as the "library building fund" and be used only for

the purposes, or for some one or more of the purposes, hereinbefore referred to as objects for which such bonds are authorized to be issued.

[H. 700. Approved March 10, 1913.]

Schools — Cities and Towns — School Buildings — School Trustees May Issue Evidences of Indebtedness.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That section one (1) of the above entitled act be amended to read as follows, to wit: Section 1. That section 1 of an act entitled "An act authorizing and empowering boards of trustees of school cities of all cities incorporated under the general laws of this state, and boards of trustees of school towns of incorporated towns, to borrow money and issue their notes or bonds therefor; providing conditions on which such debt may be incurred, and to levy a tax to pay the same, for the purpose of buying grounds and paying for necessary school buildings, or repairs on the same and declaring an emergency," approved March 9, 1903, be and the same is hereby amended to read as follows: Section 1. That in all cities, except cities of the first and second class, of the State of Indiana, which are incorporated under the general laws of the state, and in incorporated towns of this state, the boards of school trustee in such city or incorporated towns are hereby authorized and empowered to borrow money and to issue their bonds or notes of such school city or school town, such bonds or notes to bear interest at a rate not exceeding five per centum per annum, and payable at such times within twenty-five (25) years from date as such school board may determine. The money obtained as a loan on such bonds or notes shall be disbursed by order of such board in payment of expenses incurred in buying grounds, building school houses or in making repairs on school buildings heretofore erected for such school city or town, and for no other use or purpose whatsoever. Before any such debt is incurred, such school officers shall give notice by publication for three consecutive weeks in some newspaper published in such city or town, and if none be so published, then in some newspaper of general circulation in such city or town, or by posting

such notice in five public places in such city or town for three weeks, which notices shall state the aggregate debt proposed to be incurred, the location of real estate, if it be proposed to buy real estate; the character and size of the building to be erected, and the nature of the improvement proposed: *Provided*, That no board of trustees shall create any indebtedness including all outstanding indebtedness exceeding two per centum of the taxable property of such city or town, as ascertained by the last assessment for state and county taxes previous to the incurring of the said indebtedness: *and Provided, further*, That said bonds or notes shall not be sold at a less rate than one hundred (100) cents on the dollar.

Emergency.

SEC. 2. Whereas an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[S. 180. Approved March 15, 1913.]

Schools—Cities and Towns—Refunding.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That in all cities of the State of Indiana, which are incorporated under the general laws of the state, and in all incorporated towns of this state, when the school city or school town of any such city or incorporated town is indebted at the time of the passage of this act, which indebtedness is evidenced by bonds, notes or other obligations heretofore issued or negotiated by any such school city or school town, for the purpose of funding or refunding such indebtedness or any part thereof, reducing the rate of interest thereon, extending the time of payment thereof, and cancelling so much thereof as may be due or which shall become due, the board of school trustees of any school city or school town, in such cities or incorporated towns, are hereby authorized to issue the bonds of such school city or school town, with interest coupons attached, for an amount not exceeding in the aggregate the whole amount of the indebtedness of such school city or school town, which bonds may be in any denomination not less than fifty

(\$50.00) dollars nor more than one thousand (\$1,000.00) dollars and shall be payable at any place named therein and at a time not later than twenty-five years from the date thereof, bearing interest not exceeding four and two-fifths per cent. per annum, payable annually or semi-annually, as such board of school trustees of any such school city or school town may negotiate such bonds at any market or place at not less than par. In the event any city or incorporated town in this state prior to the taking effect of this act, shall have issued its bonds, notes or other obligations for the purpose of procuring funds with which to buy school grounds or erecting school buildings, or repairing such school buildings, and the proceeds derived by reason of the sale of such bonds have been used by the school cities or school towns of any such city or incorporated town for the purpose of buying grounds for school purposes, or erecting buildings or making improvements to school buildings, then it shall be lawful for the board of school trustees of any such school city or school town in such cities or incorporated towns and they are hereby authorized to issue and negotiate the bonds of such school city or school town for the purpose of funding or refunding such indebtedness or any part thereof for the same purposes and in the same manner and on like terms and conditions as provided for in this section in other cases: *Provided*, That this act shall not be construed as authorizing and empowering trustees of such school cities or school towns to issue funding or refunding bonds for any indebtedness than [that] may be created after the taking effect of this act, except as herein provided.

Levy—Sinking Fund—Interest.

SEC. 2. For the purpose of paying bonds issued as provided in the foregoing section, the board of school trustees of any such school city or school town shall add to the tax duplicates thereof annually, a levy sufficient to pay all yearly interest on said bonds and may provide a sinking fund for the liquidation of the principal thereof when it shall become due, which sinking fund, together with the interest, increase of profit thereon, shall be applied to the payment of said bonds and to no other purpose.

Repeal.

SEC. 3. All laws or parts of laws in conflict herewith are hereby repealed.

Emergency.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act the same shall be in full force from and after its passage.

[S. 546. Approved March 14, 1913.]

County Auditors—School Funds—Loan on Mineral Land.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That where coal or other minerals underlie the surface of real estate, that the auditor of the county where said real estate is situated is hereby authorized to loan the principal of all moneys belonging to the school fund to an amount not to exceed fifty per cent. of the surface value of said real estate, secured by a mortgage, and said loan to be made in all other respects as now provided by law.

Emergency.

SEC. 2. Whereas an emergency exists for the immediate taking effect of this act the same shall be in full force and effect from and after its passage.

[H. 675. Approved March 15, 1913.]

Schools—Renewal of School Fund Mortgages—Duties of Auditor.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That all mortgagors of the common school, congressional school and permanent endowment funds, held in trust by their respective counties wherein such mortgage exists, shall, at the expiration of five (5) years from the date of the original loan, be required to give notice to the said auditor of said county that they desire to continue such loan. That upon the receipt of such notice the auditor shall notify the appraisers of the district wherein such

mortgaged premises are located, who shall proceed to view and appraise such mortgaged premises, and shall upon oath fix the actual cash value thereon, without regard to the amount of the present existing loan. If the said mortgaged premises are reappraised at an amount equal to double the amount of the loan, it shall be so recorded by said auditor, which said procedure shall be sufficient for a further continuation of such mortgaged school loan for the period of five (5) years from the expiration of the said original loan: *Provided, however,* That if the second appraisement, made for the purpose of said continuation, be not sufficient, and is less than double the amount of the original loan, such mortgagor shall pay into the treasury a sufficient sum to reduce said loan to one-half of said appraisement. The cost for said renewal shall be fifty (50) cents each to the appraisers, and fifty (50) cents to said auditor for recording said continuation.

Repeal.

SEC. 2. All laws or parts of laws in conflict with this act are hereby repealed.

Emergency.

SEC. 3. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[S. 489. Approved March 13, 1913.]

County Coroners—Funds Not Called For—Disposition.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That section twelve of said act be and the same is hereby amended to read as follows: Section 12. It shall be the duty of the treasurer if the money aforesaid shall not be called for within one year from the time of receiving the same, to place said sum of money to the credit of the common school fund principal, and where there is any money now heretofore loaned by the county treasurer on account of the provisions of this act, then said money, principal and interest shall become a part of the common school fund of the state as soon as practicable.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act the same shall be in force from and after its passage.

[H. 18. Approved February 28, 1913.]

Annexation School Territory—Liability for Debts.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That section 1 of an act entitled “An act to provide for the reimbursement of school townships where school property belonging thereto has been or shall hereafter be annexed to any city or incorporated town, and declaring an emergency”; approved March 3, 1899,” be and the same is hereby amended to read as follows, to wit: Section 1. In all cases where any city or incorporated town of this state shall hereafter annex any territory, or where any town shall be hereafter incorporated in which territory so annexed or incorporated there shall be the property of any school township used by such school township for school purposes, and such school township shall be at the date of such annexations, indebted either for the purchase of said school property, or for buildings constructed thereon, it shall and is hereby made the duty of the school corporation of such city or incorporated town to pay such indebtedness, and such school corporation is hereby declared to be and made liable therefor. Until such city or town school corporation shall have paid such indebtedness, it shall not be entitled to a deed therefor, and if such indebtedness is paid by said school township, such school township shall be entitled to recover the amount so paid from said city school corporation with interest at the rate of six per cent. per annum from date of payment, and on payment of such amount the said school corporation shall be entitled to a deed of such property as now by law provided. Whenever any annexation of such property has been made prior to the passage of this act and subsequent to the passage of the act of which this is amendatory, then liability on the part of such annexing city or town for any such indebtedness remaining unpaid at the time of the passage of this act, shall be under this act the same as if such an-

nexation had taken place subsequent to the passage of this act.

Emergency.

SEC. 2. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in full force and effect from and after its passage.

[H. 68. Approved March 15, 1913.]

Legal Notices—Where Published.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That in all cases where now, in township or county business, the law provides for the publication of legal notices in a weekly newspaper, it shall be lawful hereafter to make such publications in either a daily or weekly newspaper.

Repeal.

SEC. 2. All laws or parts of laws inconsistent with this act, are hereby repealed.

Emergency.

SEC. 3. Whereas, there is an emergency existing for the immediate taking effect of this act, it shall be in force and effect from and after its passage.

[H. 305. Approved March 4, 1913.]

County Superintendents—Extension of Term.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one (1) of the above entitled act be amended to read as follows: Section 1. The township trustees of each county of this state shall meet at the office of the auditor of their county on the first Monday in June, 1917, at ten o'clock a. m., and every four years thereafter, and elect by ballot a county superintendent for their county. Such county superintendent shall enter upon the duties of his office on August 16th following and unless

sooner removed, shall hold his office until his successor is elected and qualified. Before entering upon the duties of his office he shall subscribe and take an oath to perform faithfully such duties according to law; which oath shall be filed with the county auditor. He shall also execute a bond, to the approval of the county auditor, payable to the State of Indiana, in the penal sum of five thousand dollars, conditioned upon the faithful discharge of his duties, according to law, and faithfully to account for and pay over to the proper persons all moneys which may come into his hands by virtue of such office. As soon as such bond be filed, the county auditor shall report the name and postoffice of the person so elected to the state superintendent of public instruction. Whenever a vacancy may occur in the office of county superintendent the said township trustees, on at least three days' notice given by the county auditor, shall assemble at ten o'clock a. m., on the day designated in such notice at the office of such auditor, and fill such vacancy by ballot for the unexpired term. In all elections of a county superintendent the county auditor shall be the clerk of such election; and in case of a tie vote the auditor shall cast the deciding vote. In case any one candidate shall receive a number of votes equal to one-half of all the trustees of the county, the county auditor shall then and at all subsequent ballots cast his vote with the trustees until some candidate shall receive a majority of all the votes in the county, including the county auditor. Such auditor shall keep a record of such election in a book kept for that purpose.

[S. 208. Approved February 28, 1913.]

County Superintendents—Additional Salary.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That in counties containing more than seventy-seven thousand inhabitants, according to the last preceding United States census, the board of county commissioners of each of such counties shall be, and hereby is, authorized, upon the petition of fifty resident freeholders of such county, to allow an addition to the salary of the county superintendent of schools therein, such as in the judgment of such board the conditions in such county and

the work required of such superintendent therein may justify, not exceeding one thousand dollars a year payable to such county superintendent of schools in monthly installments out of the treasury of the county.

Emergency.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, it shall be in force from and after its passage.

[S. 135. Approved February 19, 1913.]

Cities—Second Class—Government of Schools.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That the government of the common schools in cities having a population of more than sixty-three thousand inhabitants and less than sixty-nine thousand inhabitants, according to the last preceding United States census, shall be vested in a board of school trustees, which shall consist of three members, elected in the manner hereinafter provided.

School Corporations—Separate from Civil Corporations.

SEC. 2. Such cities are hereby declared to be and are made school corporations for school purposes, separate and distinct from the civil corporations of the same cities, and shall be known and designated as the school city of (naming the city); and the several boards of school trustees of such cities shall represent and be vested with all the authority and powers of school cities, and with the management and control of the common schools thereof.

General School Laws Applicable.

SEC. 3. The general school laws of this state and all laws and parts of laws, applicable to the general system of common schools in cities, and not inconsistent therewith, shall be in full force in such cities; and such boards of school trustees shall also have and exercise all the powers heretofore and hereafter conferred upon the school trustees of the same or other cities of the state.

Qualifications of School Board.

SEC. 4. The members of such board of school trustees shall be at least twenty-five years of age, residents of the city, and shall have been such residents of the city for at least three years immediately preceding their election. They shall be ineligible to any elective or appointive office under such board of school trustees and under the government of such city while holding membership on said board. They shall not be interested in any contract with, or claim against the school city in which they are elected, either directly or indirectly: *Provided*, That this act shall not be construed to prevent anyone, otherwise eligible, who is connected as officer or stockholder in financial institutions holding school fund deposits under the state depository law from holding such office as school trustee. If at any time after the election of any member of said board, he shall become interested in any such contract with, or claim against said school city, he shall thereupon be disqualified to continue as a member of said board, and a vacancy shall thereby be created. Every member of said board shall, before assuming the duties of his office, take an oath before some one qualified to administer oaths that he possesses all the qualifications required by this act, that he will honestly and faithfully discharge the duties of his office, that he will not, while serving as a member of such board, become interested directly or indirectly, in any contract with, or claim against said school city, and that he will not be influenced during his term of office, by any consideration of politics or religion, or anything except that of merit and fitness in the appointment of officers and the engagement of employes. Each member of such board of school trustees shall receive for his services herein such compensation as the common council of the city shall fix, which compensation shall be paid out of the special school revenue of the city.

How Elected.

SEC. 5. The said board of school trustees shall be elected as follows: The common council of each city coming under the provisions of this act shall annually hereafter, at a regular meeting of such common council in the month of June, elect one school trustee, who shall hold office for a term of

three years, from the first day of the next succeeding August. Such trustee together with those whose terms of office have not expired shall meet within five days after the first day of August, 1913, and annually thereafter, and organize by electing one of their number president, one secretary, and one treasurer. The treasurer, before entering upon the duties of his office, shall execute a bond to the acceptance of the county auditor, in the sum of fifty thousand dollars, conditioned as an ordinary official bond, with a reliable surety company or at least two sufficient freehold sureties, who shall not be members of such board, as surety or sureties on such bond. The president and secretary shall each give bond, with like surety or sureties, to be approved by the county auditor, in the sum of twenty-five thousand dollars: *Provided*, That such boards of school trustees may purchase said bonds from some reliable surety company, and pay for them out of the special school revenue of their respective cities. All vacancies that may occur in said board of school trustees shall be filled by the common council at any regular meeting, but such election to fill a vacancy shall only be for the unexpired term: *and Provided further*, That the present incumbents of the offices of school trustees in any cities coming under the provision of this act shall hold their offices until the expiration of the terms for which they have been elected or appointed.

Applies to Other Cities—When.

SEC. 6. Whenever any city which has not the requisite population to bring it within the provision of this act shall, according to any United States census hereafter taken, have a population of more than sixty-three thousand inhabitants and less than sixty-nine thousand inhabitants, then this act shall in all respects apply to and govern such city from thenceforth.

Pending Litigation—Present Members.

SEC. 7. The intendment of this act is and shall be that it shall not effect any impending litigation but the same shall be concluded and judgment rendered and enforced as if this act had never been passed; and that all school trustees, in cities coming under the provisions of this act, who are now

serving unexpired terms in such office, shall fill out such unexpired terms under the provisions of this act the same as if they had been elected to such office under the provisions of this act.

Emergency.

SEC. 8. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[S. 377. Approved March 14, 1913.]

Schools—Towns—Election of School Trustee.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That in the election of school trustees in incorporated towns, the board of trustees of incorporated towns, shall vote by ballot and such voting shall continue until some competent person receives a majority of all votes cast or until such meeting adjourns or the voting ceases by a majority vote of the members of the board of town trustees. Should an election fail to occur at any one regular meeting, then at the next regular meeting, the board of trustees shall again proceed to the election of a school trustee or trustees, in like manner and under the same conditions and should no election occur at such meeting, then the board of trustees may determine then and there whether to take further votes at some later meeting and so on from one regular meeting to another until an election occurs or until such board of trustees shall determine by a majority vote to cease trying to elect; and, no person be permitted to vote except they be a qualified member of said body and the clerk of the board of trustees shall preside at such election but shall have no vote. In all cases where no election takes place, the present incumbent shall continue to serve until an election does occur and until his successor shall be elected and qualifies and all official acts of any member so holding over and the official acts of any such board during such time, will be valid as though an election should have taken place: *Provided,* That this act shall not change the time of election of school trustees or the terms of present incumbents except in cases where no successor is elected as

herein provided; nor shall it affect cities that have by special act, a different mode of election prescribed by law.

Supplementary Act.

SEC. 2. This act is supplementary in its nature and repeals only such laws as may be in conflict therewith.

[H. 329. Approved March 8, 1913.]

Schools—Board of Trustees—Dissolved.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That any incorporated town in the state, that has no school indebtedness, the inhabitants of which do not exceed fifteen hundred, as shown by the last preceding general census, may, through its town board of trustees, abandon and discontinue its management and control of public schools within such incorporated town, and abolish the board of school trustees therein. Whenever a town so discontinuing its board of school trustees shall desire to again take control of its school affairs the town board may on petition signed by a majority of the resident freeholders, pass an ordinance to that effect and appoint a board of school trustees; *Provided*, That whenever a town passes such ordinance to again take control of its school affairs as herein above provided, it shall be the duty of the county assessor, county auditor and county superintendent of schools, to act as an appraising board to determine what if any equitable right the township has in the school property thus taken over and to determine the extent to which such town is indebted to the township, and the board of town trustees shall pay over to the township such amount as has been so determined, before said town shall be permitted to take over the schools: *Provided, further*, That such school property shall not be appraised and taken over by the town as above provided unless a majority of the resident freeholders in the township residing outside of said town, consent to such transfer: *Provided, further*, That no town board shall dissolve the school corporation except by consent of a majority of the freeholders therein.

Conveyance of Property to Township.

SEC. 2. The town board of trustees of any such incorporated town, upon deciding to abandon and discontinue the control of the public schools therein, shall make or cause to be made a good and sufficient deed, conveying all real estate belonging to such school town to the township trustee of the township in which such incorporated town is located; and shall transfer all the personal property and fixtures belonging to such school town to such township trustee, all of which shall be accepted and held by such township trustee for the use and purposes of the school township wherein such town is located: *Provided*, That when any such incorporated town shall be located in two or more contiguous counties, the children of school age who are residents of such incorporated town shall be entitled to the same school privileges in such incorporated town as the children of school age who are residents, exclusively of the township which has assumed ownership and control of such school and school property. And all school revenue which is paid or which may hereafter be paid by that portion of such incorporated town lying outside of the township which has assumed control and ownership of such school and school property, shall be paid to the township trustee of the township wherein such school is located, in the same way and manner as such revenues were paid to the school trustees of such incorporated town before such town relinquished control and possession of such school and school property.

Township Control.

SEC. 3. After the requirements set forth in the preceding section are complied with, the township trustee shall have full and complete control of all the schools within such town and shall conduct the same as provided for by law for the other schools of such township. And all children of school age residing outside of the township in which such school and school property is situated but within the limits of any such incorporated town, as herein provided, shall possess all the rights and privileges to attend the school or schools located within such incorporated town, the same as though they lived in the township wherein such school or school property is located

Repeal.

SEC. 4. That an act entitled "An act permitting incorporated towns not exceeding fifteen hundred inhabitants to discontinue school boards, and provisions made for transfer of school property to township trustees," approved March 3, 1899, and an act entitled "An act to amend section one and the title of an act entitled 'An act permitting incorporated towns not exceeding fifteen hundred inhabitants to discontinue school boards and provisions made for transfer of school property to township trustees,' " approved March 3, 1899, approved March 4, 1911, be and the same are hereby repealed.

Emergency.

SEC. 5. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[H. 605. Approved March 10, 1913.]

Schools—State Superintendent of Public Instruction—High School Inspector.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That the state superintendent of public instruction with the approval of the state board of education, shall appoint a high school inspector who shall act under the direction of the state superintendent and the state board of education. The duties conferred by law upon the state board of education in making inspections of high schools shall be performed by the high school inspector. The high school inspector shall be paid a salary of two thousand five hundred dollars (\$2,500) annually and he shall be allowed his necessary expenses while engaged in the performance of his duties.

Appropriation.

SEC. 2. An amount to pay the salary and expenses of the high school inspector is hereby appropriated out of the state treasury from moneys not otherwise appropriated.

[S. 154. Approved March 3, 1913.]

Schools—Uniform Text Books.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That the state board of education shall constitute a board of commissioners, for the purpose of making a selection, or procuring the compilation for use in the high schools of the State of Indiana, of text books, as prescribed in this act.

Said board shall select single text books in the following subjects: Algebra; geometry; commercial arithmetic; history; United States, ancient, mediæval and modern; civil government; physical geography; commercial geography; history of English literature; history of American literature; English composition and rhetoric; Latin—beginning Latin, Latin grammar, prose composition, Cæsar, Cicero, Virgil; German conversational method grammar and grammatical method grammar.

The board shall select four elective text books in each of the following subjects: Botany; zoology; physics; chemistry; agriculture; agricultural botany.

Said board may select single or elective text books in any additional subjects not included in this section, which are taught in any high school or any subject which may hereafter be included in the curriculum of any high school, whenever any high school shall determine to teach such subject, and whenever such selection is made by said board, the text book so selected shall be used in all high schools in the State of Indiana, teaching said subject.

State Board of Education—Duties.

SEC. 2. In selecting books for high schools, said board of commissioners shall be subject to and governed in all respects, so far as applicable by the provisions of an act entitled "An act entitled an act to create a board of commissioners for the purpose of securing for use in the common schools of the State of Indiana of a series of text books, defining the duties of certain officers therein named with reference thereto, making appropriations therefor, defining certain felonies and misdemeanors, providing penalties for the violation of the provisions of said act, repealing all

laws in conflict therewith and declaring an emergency," approved March 2, 1889, and all amendments thereto, so far as applicable shall apply to the selection of said text books and all matters relating thereto under the provisions of this act, except that the said board of commissioners shall have power to fix the price limit of any text book or series of text books.

[S. 464. Approved March 12, 1913.]

Schools—Text Books—Bids Called For.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section 2 of the above entitled act be amended to read as follows: Section 2. The board of commissioners shall advertise for twenty-one consecutive days in two daily papers published in this state, having the largest circulation, that at a time and place to be fixed by said notice, and not later than six months after the first publication thereof said board will receive sealed proposals on the following:

First. From publishers of school text-books, for furnishing books to the school trustees of the State of Indiana for use in the common schools of this state, as provided in this act, for a term of five years, stating specifically in such bid the price at which each book will be furnished, and accompanying such bid with specimen copies of each and all books proposed to be furnished in such bid.

Second. From authors of school text-books, who have manuscripts of books not published, for prices at which they will sell their manuscript, together with the copyright of such books, for use in the public schools of the State of Indiana.

Third. From persons who are willing to undertake the compilation of a book or books, or a series of books, as provided for in section one (1) of this act, the prices at which they are willing to undertake such compilation of any or all of such books to the acceptance and satisfaction of the said board of commissioners: *Provided*, That any and all bids by publishers, herein provided for, must be accompanied by a bond in the penal sum of fifty thousand dollars, with resident freehold surety, to the acceptance and satisfaction of the governor of this state, conditioned that if any con-

tract be awarded to any bidder hereunder, such bidder will enter into a contract to perform the conditions of his bid to the acceptance and satisfaction of said board: *and Provided, further*, That no bid shall be considered unless the same be accompanied by the affidavit of the bidder that he is in nowise, directly or indirectly, connected with any other publisher or firm who is now bidding for books submitted to such board, nor has any pecuniary interest in any other publisher or firm bidding at the same time, and that he is not a party to any compact, syndicate or other scheme whereby the benefits of competition are denied to the people of this state: *And be it further provided*, That if any competent author or authors shall compile any one or more books of the first order of excellence, and shall offer the same as a free gift to the people of this state, together with the copyright of the same and the right to manufacture and sell such works in the State of Indiana for use in the public schools, it shall be the duty of such board of commissioners to pay no money for any manuscript or copyright for such book or books on the subject treated of in the manuscript so donated; and such board shall have the right to reject any and all bids, and at their option such board shall have the right to reject any bid as to a part of such books, and to accept the same as to the residue thereof.

[H. 328. Approved March 7, 1913.]

Schools—Township High Schools—How Established.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That in each township of this state having an assessed valuation of more than six hundred thousand dollars (\$600,000) of taxable property and wherein there is not now established a high school, and wherein there is not situate a city or town maintaining a high school, and wherein for each of the two years last past there have been eight or more graduates of the township elementary schools, residing in such township, the township trustee may establish and maintain therein, a high school or a joint high school and elementary school, and employ competent teachers therefor; whenever a majority of parents, guardians, heads of families, or persons, having charge of children.

who were enumerated for school purposes in said township, at the last preceding enumeration, petition the trustee of said township to establish and maintain a high school or joint high school and elementary school, said trustee shall establish and maintain such a school petitioned for.

Amount of Taxable Property Required.

SEC. 2. That in each township in this state having an assessed valuation of more than six hundred thousand dollars (\$600,000) of taxable property and wherein there is not now established a high school in such township or in any town within such township and where there is no high school within three miles of any boundary line of such township, and wherein for each of the two years last past there have been eight or more graduates of the township elementary schools, residing in such township, the township trustee shall establish and maintain therein a high school and employ competent teachers therefor.

Location of School—Petition.

SEC. 3. The location of such school shall be determined by the township trustee: *Provided*, That upon the petition of ten parents, guardians, heads of families, or persons, having charge of children who are graduates of the elementary schools and who were enumerated for school purposes at the last preceding enumeration, for another location other than the one determined upon by said township trustee, the matter shall be appealed to the county superintendent of schools, who shall determine upon the location of said building and his decision shall be final, and said township trustee shall proceed in the execution of the provisions of this act.

Emergency.

SEC. 4. Whereas, an emergency existing for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[H. 564. Approved March 15, 1913.]

Schools—Buildings and Grounds for High Schools—County Commissioners Authorized to Accept.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one of an act entitled an act to amend the first section of an act to enable counties to receive donations of buildings and grounds for high school purposes and to provide for the maintenance of the same and to declare an emergency approved February 17, 1905, be and the same is hereby amended to read as follows: Section 1. That whenever any person or persons shall donate to any county of the state, any building, or buildings, together with the necessary grounds, of the value of not less than \$10,000, in counties having a population of less than twenty-five thousand (25,000) and of the value of twenty thousand (\$20,000) dollars in counties having a population in excess of twenty-five thousand (25,000) for the purpose of maintaining a county high school or county agricultural school therein, it shall be the duty of the board of county commissioners of such county to accept such donation for the purpose herein named.

Emergency.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of the act, therefore the same shall be in force and effect from and after its passage.

[H. 214. Approved March 3, 1913.]

Schools—Term Continued.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one (1) of the above entitled act be amended to read as follows: Section 1. That in any township or incorporated town in which a non-commissioned or a commissioned or certified high school has been or may hereafter be established, when the school trustee of such township or the school trustees of such incorporated town deem it unwise or inexpedient to continue the term of the elementary schools for the period required for a commissioned or a certified high school, said trustees are au-

thorized to continue the non-commissioned, commissioned or certified high school of said school corporation for a term not to exceed that required for a commissioned high school.

Emergency.

SEC. 2. Whereas an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[H. 587. Approved March 14, 1913.]

Schools—Sale of Text Books—County Superintendent May Appoint Township Trustee or Board of School Trustees as Depository Merchants.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one (1) of the above entitled act be amended to read as follows: Section 1. That on and after the taking effect of this act, every contract made by the state board of education as a state board of school book commissioners for furnishing school books shall provide that the county superintendent of schools in each county of the state shall appoint some dealer or merchant within the county to act as a depository for the sale and distribution of school books contracted for by such board of school book commissioners, and he shall contract with said dealer or merchant to carry a sufficient supply of said adopted books to supply the trade in the county, and to sell the same at contract price, except to other dealers and merchants within the county, to whom he shall sell the books for cash at a discount of ten per cent. (10%) from the contract price. The said depository merchant or dealer shall also contract with said county superintendent to furnish to each publisher holding a contract with the State of Indiana under this act, satisfactory evidence of his financial responsibility, or furnish a surety bond covering the estimated amount of sales to be made by him in any year, whereupon the said contractor or publisher shall sell to said dealer all books ordered by him at a discount of fifteen per cent. (15%) from the contract price: *Provided*, That said school book depository shall pay cash to the contractor or publisher for all books received within sixty (60) days of the date of shipment of

such books: *Provided*, That the contractor shall pay all transportation charges to the nearest railroad or river station to said depository. It shall be the duty of said depository annually in July to ascertain from the county superintendent and local dealers the probable number of books that will be needed to supply the schools for the ensuing year, and upon receipt of this information, he shall order said books on or before the first day of August in each year; and upon receipt of such books he shall immediately notify the local dealers and merchants, desirous of handling such books: *Provided*, That the county superintendent shall at any time, on the request of a township trustee or the board of school trustees appoint such township trustee or board of school trustees to act as a depository merchant or dealer for the sale and distribution of school books and in such case the township trustee or board of school trustees in his capacity as depository merchant or dealer shall conform in all respects to the provisions of this act as they apply to any other depository merchant or dealer appointed by the county superintendent.

[H. 141. Approved February 28, 1913.]

Public Playgrounds and Public Baths—How Established.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That the board of health and charities in cities of the first class, in this state, and the board of health and charities or the board of school commissioners, or board of school trustees, in cities of the second, third, fourth and fifth classes, in this state, be and the same are hereby authorized to establish, maintain and equip public playgrounds, public baths and public comfort stations in said cities. That the boards of school commissioners and boards of school trustees or boards of health and charities in such cities are hereby authorized to use, and to permit the use of, any public grounds or buildings under their control as in their judgment may be required, or adaptable, pursuant to the provisions and for the purpose designated in this act. And such boards are hereby authorized to lease or purchase grounds, additional to such public grounds, either adjacent thereto or elsewhere in such cities; and such boards are hereby empowered, pursuant to the laws of eminent domain

now or hereafter in force within this state, to condemn real estate to be used for the purposes herein expressed and to pay for such real estate so condemned out of the revenue hereinafter provided for in this act.

How Controlled.

SEC. 2. Such boards shall have full control and custody of all such playgrounds, baths and comfort stations, including the policing and preservation of order thereon, and may adopt suitable rules, regulations and by-laws for the control thereof, and the conduct of children and other persons while on and using the same, and may enforce the same by suitable penalties. Such boards shall appoint a commissioner of public playgrounds, public baths and public comfort stations, whose duty it shall be to superintend and manage the work, to select directors and assistants, who while on duty, and for the purpose of preserving order and the observance of the rules, regulations and by-laws of the said boards shall have the powers and authorities of police officers of the respective cities in and for which they were severally appointed. The compensation for such employees shall be fixed by such boards.

Expenses—How Paid.

SEC. 3. All the expenses necessarily incurred in carrying out the provisions of this act shall be borne by such civil cities. The common councils of such cities of the first class shall and cities of the second, third, fourth and fifth classes may, annually, beginning in 1913, levy the sum of not less than one (1) cent nor more than two (2) cents on each hundred dollars (\$100.00) of taxables within such cities to create the sum, to be known as the "recreation fund," to be expended by such boards in carrying out the provisions of this act. Such funds shall under no circumstances be used for any other purposes, but for the purposes aforesaid, shall be subject to the warrant of the proper city official without any further appropriation.

Repeal.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Emergency.

SEC. 5. An emergency existing for the immediate taking effect of this law, the same shall be in full force and effect from and after its passage.

[S. 136. Approved March 6, 1913.]

Cities—First Class—Public Playgrounds.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That the board of school trustees in cities having not less than sixty-three thousand (63,000) nor more than sixty-nine thousand (69,000) population according to the last preceding United States census be and the same are hereby authorized to establish, maintain and equip public playgrounds in such cities. That the board of park commissioners in such cities, are hereby authorized to permit the use of any public grounds under their control for playground purposes, and if in their judgment deemed necessary, may acquire and maintain suitable grounds specially for such purposes.

Under Control School Boards.

SEC. 2. Such school boards shall have full control and custody of all such playgrounds, including the policing and preservation of order thereof, and may adopt suitable rules, regulations and by-laws for the control thereof, and the conduct of the children and other persons while on or using the same, and may enforce the same by suitable penalties. Such school board shall appoint directors, teachers and assistants, whose duty it shall be to superintend and manage said playgrounds, and to preserve order and observance of rules, regulations and by-laws of said school board. The compensation for such employes herein shall be fixed by said school boards.

Expenses—How Paid.

SEC. 3. All the expenses necessarily incurred in carrying out the provisions of this act shall be borne by the civil city. The common council of such city shall annually, beginning in 1913, levy the sum of not less than one cent nor more than

two cents on each one hundred dollars (\$100.00) of taxables within said city to create the sum to be known as the "Play Ground Fund," and to be expended by such school board in the carrying out of the provisions of this act. Such funds shall under no circumstances be used for any other purposes, but for the purpose aforesaid and shall be subject to the warrant of the school boards without any further appropriation. The duty of making such levy shall be performed, regardless of any limit now existing by law in the tax levying power of such city.

SEC. 4. An emergency exists for the taking effect of this law, and the same shall be in full force and effect from and after its passage. •

[H. 389. Approved March 15, 1913.]

Schools—Buildings Used for Public Gatherings.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That upon application of not less than one-half of the voters residing within two (2) miles of any school house or other public buildings or grounds, which are capable of being more widely used as public meeting places for nonpartisan gatherings of citizens, for the presentation and discussion of public questions or for other civic, social or recreational activities, the township trustee or other authorities having charge of such school houses, public buildings or grounds shall allow the use of such buildings or grounds for the open presentation and free discussion of public questions, and may allow the use of such buildings or grounds for such other civic, social and recreational activities as in the opinion of the controlling board do not interfere with the prime purpose of the building or grounds.

Buildings to be Lighted and Heated.

SEC. 2. Where the citizens of any community are organized into a nonpartisan, nonsectarian, nonexclusive association for the presentation and discussion of public questions, the school board or other body having charge of the school-houses or other public properties which are capable of being

used as meeting places for such organization, when not being used for their prime purpose, shall provide, free of charge, light, heat and janitor service, where necessary, and shall make such other provisions as may be necessary for the free and convenient use of such building or grounds, by such organization for weekly, biweekly or monthly gatherings at such times as the citizens' organization shall request or designate.

Control of School Board.

SEC. 3. The school board or other board having charge of the school houses or other public properties, may provide for the free and gratuitous use of the school houses or other public properties under their charge for such other civic, social and recreational activities, as in their opinion do not interfere with the prime use of the buildings or properties.

Responsibility for Damages.

SEC. 4. The person or persons making application for the use of a school house or other public property for public meetings, shall be responsible for all damage to the property occurring at such meetings, ordinary wear and tear excepted, and upon failure of the responsible person or persons to respond in damages for any such injury to the property, the school board or other board in charge of the school house or other public property, may refuse all future applications for the wider use of the property until such injury is repaired, without expense to the board in charge of the property.

Repeal.

SEC. 5. All acts and parts of acts conflicting with any provisions of this act are repealed in so far as they are inconsistent therewith.

Emergency.

SEC. 6. Whereas an emergency exists for the immediate taking effect of this act the same shall be in full force and effect from and after its passage.

[H. 339. Approved March 10, 1913.]

Schools—Arbor Day—Fixing Date.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That for the purpose of encouraging the planting of shade and forest trees, shrubs and vines, the third Friday of April in each year is hereby designated as a day for general observance and to be known as Arbor Day.

Proclamation.

SEC. 2. The governor shall make proclamation of said day in each year at least thirty days prior thereto.

School Exercises.

SEC. 3. Appropriate exercises shall be introduced in all the schools of the state; and it shall be the duty of the several county and city superintendents to prepare a program of exercises for that day to be observed in all the schools under their respective jurisdictions. The exercises on arbor day shall give due honor to the conservors of forestry, and the founders of the study and conservation of Indiana forestry. And especially to the leading spirit of Indiana forestry conservation, Charles Warren Fairbanks.

Repeal.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

[S. 449. Approved March 12, 1913. Page 556.]

State Fire Marshal—Schools—Teachers—Compulsory Fire Drill.

SEC. 14. It shall be the duty of the state fire marshal, his deputies and assistants to require teachers of public and private schools and educational institutions to have one fire drill each month and to keep all doors and exits unlocked during school hours.

Penalty.

SEC. 15. Any officer referred to in this act who neglects to comply with any of the requirements hereof shall be guil-

ty of a misdemeanor, and on conviction shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, for each neglect or violation and in default of the payment thereof shall be imprisoned not to exceed thirty days.

Fines Paid to State Treasurer.

SEC. 16. All penalties, fees or forfeitures collected under the provisions of this act shall be paid into the treasury of the state for the benefit of the state fire marshal fund.

[S. 171. Approved March 14, 1913.]

Rats—Extermination—Teaching Hygiene in Schools.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That it shall be unlawful for any person, firm, copartnership, company or corporation owning, leasing, occupying, possessing or having charge of any land, place, building, structure, stacks or quantities of wood, hay, corn, wheat or other grains or materials, or any vessel or water craft, to permit the same to become rat infested, and it shall be the duty of any such person, firm, copartnership, company, or corporation, upon any knowledge or notice, to at once proceed and to continue in good faith to endeavor to exterminate and destroy such rats by poisoning, trapping and other appropriate means, such as may be suggested by the state board of health or the local health officers. And it shall be the duty of the trustees of the several townships and the boards of school trustees of the several cities and towns in the state, to make provisions in the public schools under their jurisdiction for the illustrative teaching of the anatomy, physiology and hygiene of the human system; the effects of alcohol and nicotine; the cause and course of consumption; the dissemination of diseases by rats, flies and mosquitoes and the effects thereof, and the prevention of diseases by the proper selection and consumption of food.

State Board of Health—Inspectors—Duties.

SEC. 2. The state board of health and inspectors appointed by such board and local health officers and inspectors appointed for the purpose, as hereinafter provided, shall

have authority and shall be permitted to enter into and upon all lands, places, buildings, structures, vessel or water craft for the purpose of ascertaining whether the same are infested with rats and whether the requirements of this act as to extermination and destruction thereof are being complied with: *Provided*, That no building occupied as a dwelling, hotel or rooming house shall be entered for such purpose except between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of any day.

Appropriation—County Commissioners.

SEC. 3. The board of county commissioners, with the consent of the county council, of each county, and the town board of any town or the common council of any city, whenever it may by resolution determine that it is necessary for the preservation of the public health or to prevent the spread of contagious or infectious disease, communicable to mankind, or when such board shall so determine that it is necessary to prevent great damage to crops, grain, food or other property, may appropriate moneys for the purchase of, and may purchase, poison, traps and other materials for the purpose of eliminating and destroying rats in such county, town or city, and may employ and pay inspectors, who shall have authority to and shall prosecute such work of extermination and destruction under the direction of such board or the local health officer, or board of health, on both private and public property, in such county, town or city, and such inspectors shall have authority, when necessary, to carry out the provisions of this act, to dig into the ground, to remove parts of floors, walls or other parts of buildings or structures, or to remove, from one place to another on the premises, any other property when reasonably necessary to do so: *Provided*, That such inspector or inspectors, after taking the necessary steps for the discovery and destruction of rats on any premises, shall restore the said premises, as far as may be reasonably practicable, to the condition in which the same were found.

Expense of Extermination—Lien.

SEC. 4. Whenever any person, firm, copartnership, company or corporation owning, leasing, occupying, possessing

or having charge of any land, place, building, structure, stacks or quantities of wood, hay, corn, wheat or other grains or materials, or any vessel or water craft, which is infested with rats, shall fail, neglect or refuse to proceed and continue to endeavor to exterminate and destroy such rats, as herein required, it shall be the duty of the state board of health, or its inspectors, and the local health officer, or the local board of health, or its inspectors, at once to cause such nuisance to be abated by exterminating and destroying such rats.

The expense thereof shall be a charge against the county, town or city which has, by its board or council ordered such destruction or extermination of rats, and such board or council shall allow and pay the same.

When such destruction of rats is ordered by the town board or city council, the clerk of such town or city shall at once file with the county auditor a certified statement of the expense of such extermination and in any such case the county auditor shall charge the amount so expended for destroying rats, as aforesaid, against the property on which said nuisance shall have been abated, and the same shall be collected as other taxes are now collected, and when so collected shall be paid to said county, town or city to reimburse it for the amount so paid out for the destruction of rats, as aforesaid.

“Rat Day”—Proclamation.

SEC. 5. The governor may annually, in the spring, designate by official proclamation, a day to be designated as “rat day,” to be observed throughout the state as a day for exterminating and destroying rats about the homes and premises and public buildings and all other places, thus preventing the dissemination of disease and the destruction of property.

Rights of Officers.

SEC. 6. Any health officer or any inspector appointed under the provisions of this act shall have the right, without a warrant to enter upon or into any land, place, building, structure or premises suspected of being rat infested for the discovery or destruction of rats, and any person or

number of persons who shall obstruct him in the performance of his duties shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than two (2) dollars nor more than ten (10) dollars.

Penalty.

SEC. 7. Any person, firm, copartnership, company, corporation, or school official, violating any of the provisions contained in section one of this act shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than ten (10) dollars nor more than one hundred (100) dollars.

[H. 494. Approved March 14, 1913.]

Schools—Sanitary Buildings.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one (1) of the above entitled act be amended to read as follows: Section 1. That after the going into effect of this act all schoolhouses which shall be constructed or remodeled shall be constructed in accordance and conform to the following sanitary principles, to wit:

(a) Sites. All sites shall be dry, and such drainage as may be necessary to secure and maintain dry grounds and dry buildings, shall be selected and supplied. Said site and said buildings shall not be nearer than 500 feet to steam railroads, livery stables, horse, mule or cattle barn used for breeding purposes or any noise-making industry or any unhealthful conditions. And when such school building or school site is so located and established no livery stable, horse, mule or cattle barn used for breeding purposes, or any noise-making industry or any unhealthful conditions shall thereafter be constructed, erected or maintained within 500 feet of any school building, school site or school grounds. Good dry walks shall lead from the street or road to every schoolhouse and to all outhouses, and suitable playgrounds shall be provided.

(b) Buildings. School buildings if of brick shall have a stone foundation, or the foundation may be of brick or concrete: *Provided*, A layer of slate, stone or other impervious material be interposed above the ground line, or the

foundation may be of vitrified brick and the layer of impervious material will not be required. Every two-story schoolhouse shall have a dry, well-lighted basement under the entire building, said basement to have cement or concrete floor, and ceiling to be not less than ten feet above the floor level. The ground floor of all schoolhouses shall be raised at least three feet above the ground level and have, when possible, dry well-lighted basement under the entire building and shall have solid foundation of brick, tile, stone or concrete, and the area between the ground and the floor shall be thoroughly ventilated. Each pupil shall be provided with not less than 225 cubic feet of space, and the interior walls and the ceiling shall be either painted or tinted some neutral color, as gray, slate, buff or green.

(c) **Lighting and Seating.** All schoolrooms where pupils are seated for study shall be lighted from one side only, and the glass area shall be not less than one-sixth of the floor area, and the windows shall extend from not less than four feet from the floor to at least one foot from the ceiling, all windows to be provided with roller or adjustable shades of neutral color, as blue, gray, slate, buff or green. Desks and desk seats shall preferably be adjustable and at least twenty per cent. of all desks and desk seats in each room shall be adjustable and shall be so placed that the light shall fall over the left shoulders of the pupils. For left-handed pupils desks and seats may be placed so as to permit the light to fall over the right shoulder.

(d) **Blackboards and Cloakrooms.** Blackboards shall be preferably of slate, but of whatever material, the color shall be a dead black. Cloakrooms, well lighted, warmed and ventilated, or sanitary lockers, shall be provided for each study schoolroom.

(e) **Water Supply and Drinking Arrangements.** All schoolhouses shall be supplied with pure drinking water, and the water supply shall be from driven wells or other sources approved by the health authorities. Only smooth, stout glass or enameled metal drinking cups shall be used; water buckets and tin drinking cups shall be unlawful and are forbidden; and whenever it is practicable, flowing sanitary drinking fountains which do not require drinking cups shall be provided. All schoolhouse wells and pumps shall

be supplied with troughs or drains to take away waste water, and under no conditions shall pools or sodden places or small or large mudholes be allowed to exist near a well. When water is not supplied at pumps or from water faucets or sanitary drinking fountains then covered tanks or coolers supplied with spring or self-closing faucets shall be provided.

(f) Heating and Ventilation. All school houses hereafter constructed or remodeled, shall be supplied with heating and ventilating systems. Fresh air shall be taken from outside the building and properly diffused without draughts, through each school room during school session. Each school room shall be supplied with foul air flues of ample size to withdraw the foul air therefrom at a minimum rate of eighteen hundred cubic feet per hour for each two hundred and twenty-five (225) cubic feet of said school room space, regardless of outside atmospheric conditions; and heaters of all kinds shall be capable of maintaining a temperature of 70 degrees Fahrenheit in all school rooms, halls, office rooms, laboratories and manual training rooms, in all kinds of weather, and maintaining in each school room a relative humidity of not less than forty per cent: *Provided*, That when artificial ventilation, by use of fan or blower, is adopted, the provision as to entrance of fresh air shall be from outside of the building.

It is hereby made lawful for any township trustee, board of school trustees and boards of school commissioners to establish and maintain open air schools, and when such open air schools are established the provisions of this act governing heating and ventilation shall not apply to such open air school rooms.

(g) Water-Closets and Outhouses. Water-closets, or dry closets when provided, shall be efficient and sanitary in every particular and furnished with stalls for each hopper or place; and when said water or dry closets are not provided, then sanitary outhouses, well separated for the sexes, shall be provided. Good dry walks shall lead to all outhouses and screens or shields be built in front of them. Outhouses for males shall have urinals arranged with stalls and with conduits of galvanized iron, vitrified drain pipe, or other impervious material, draining into a sewer vault

or other suitable place approved by the health authorities. Any agent, person, firm or corporation, selling, trading or giving to any township trustee, school trustee or board of school commissioners, any materials, supplies, sanitary apparatus or systems, which when constructed or remodeled or installed, in or for any school house, hereafter constructed or remodeled, which does not in all respects comply with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not more than five hundred (\$500.00) dollars, to which may be added imprisonment in the county jail for any determinate period not more than six (6) months and shall be punished by a further fine of not less than five (\$5.00) dollars for each day he shall fail to comply with any order of any court having jurisdiction for the correction of any such defects in such school houses hereafter constructed or remodeled; and any money claim for the construction or remodeling, or for any materials, supplies, sanitary apparatus or systems furnished or constructed in or for any school house hereafter constructed or remodeled, which does not in every way and in all respects comply with the requirements of this act, shall be null and void.

[H. 759. Approved March 13, 1913.]

Schools—Old School Buildings—Tearing Down.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That whenever any city or town having title to real estate by purchase gift or otherwise, for school purposes within such city or town, upon which real estate there is situate a public school-building or other buildings, connected therewith, which are in bad repair or otherwise insufficient to meet the necessary requirements for the full enjoyment and advancement of proper educational uses and activities, and should it now, or hereafter, be deemed by said board of trustees necessary for said school city or school town to tear down or otherwise remove such school-building or buildings connected therewith, and in lieu of the use of them or any one of them construct new public school-buildings or other buildings connected therewith, upon the real estate occupied by said old and insufficient school build-

ing or other buildings connected therewith, the trustees of school cities of incorporated cities and trustees of school towns of incorporated towns of the State of Indiana, are hereby authorized and empowered to tear down or otherwise remove any such old and insufficient school-building or other buildings connected therewith, for the purpose of erecting upon said real estate a new school-building, or other buildings connected therewith in lieu of those removed or torn down.

Sale of Old Buildings—Use of Old Material.

SEC. 2. Boards of trustees of school cities and boards of trustees of school towns are hereby authorized, should said board of trustees deem it most advantageous to said school city or school town to do so, to sell at private sale said old and insufficient school-building or other buildings connected therewith in all cases where it is necessary in order to meet the requirements for the enjoyment and advancement of proper educational uses and activities, to erect new school-buildings, or other buildings connected therewith upon the real estate occupied by said old and insufficient school-building or buildings. Before the sale of any such building or buildings shall be authorized however, said board of school trustees shall cause said building or buildings to be appraised at a fair cash value by two reputable resident householders and freeholders of the school city or school town offering said building or buildings for sale, and said appraisal shall be made under oath and spread of record upon the records of said board of trustees, and no sale shall be made for less than the appraised value, and for cash, and the same shall be applied to the payment of the cost of the new building or buildings proposed to be constructed. The board of trustees as aforesaid, shall also cause a notice to be given reciting therein the terms, time and place of sale, and a general description of the building or buildings to be sold by publishing the same once each week for a period of two consecutive weeks in some newspaper of general circulation printed and published in the city or town where said building or buildings are for sale. If no such newspaper be published in said city or town, then by publishing said notice for a like period of time in any

newspaper of general circulation printed and published in the county where said building or buildings are for sale. If no newspaper be printed or published in the county then by publishing said notice for a like period of time in any newspaper, if any, circulating in said city or town, and in addition thereto by posting a written or printed notice in five different public locations in said city or town where said building or buildings are for sale: *Provided, however,* The board of trustees of school cities and boards of trustees of school towns may, if they deem it most advantageous to said school city or school town to do so, incorporate all or any part of the material constituting said old or insufficient school-building connected therewith as a part of the plans and specifications used or to be used by said board of trustees in the construction of said new school-building or other building connected therewith, and the value of said old material so incorporated as aforesaid, shall be taken into consideration and finally determined in the submission of bids for the construction of said new school-building or other buildings connected therewith, by the person or persons, firms or corporations making sealed proposals for the construction of said building or buildings, as aforesaid, and all of said sealed proposals shall be based upon the quantum of material constituting said old building or buildings incorporated as aforesaid, in the plans and specifications ultimately adopted by said board of trustees for the construction of said new building or buildings; and the notice given to all contractors for sealed proposals for construction, and the award of the contract thereto, and the contract entered into by and between the successful bidder or bidders and said board of trustees for the construction of said new school-building or other buildings connected therewith shall so provide: *And, Provided, further,* Said board of trustees of such school cities and school towns shall also be empowered in cases of repairing and remodeling old and insufficient school buildings or other buildings connected therewith to also incorporate the old material, in whole or in part, constituting said building or buildings in the specifications for the repairment or remodeling of such building or buildings as hereinbefore provided; or should it be deemed more advantageous to said school city or school

town, said board of trustees in cases of repairment or remodeling as aforesaid, may sell said old material, in whole or in part, which sale shall be governed by the provisions of this act as hereinbefore provided.

Emergency.

SEC. 3. Whereas an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[S. 338. Approved February 26, 1913.]

Schools—School Officers—Powers.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section 4 of the above entitled act be amended to read as follows: Section 4. For the purpose of enforcing this act and making it practical, township trustees, boards of school trustees and boards of school commissioners shall have the power, and it is herewith made lawful for said trustees and said boards to make a levy not to exceed fifteen cents (15 cents) on each one hundred dollars (\$100), the sum thus raised to be added to the special school fund, but to be used only for building and furnishing of schoolhouses. This levy shall not be made unless plainly necessary.

[H. 128. Approved February 28, 1913.]

Schools—Minimum Wages for Teachers.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one (1) of the above entitled act be amended to read as follows: Section 1. That the daily wages of teachers for teaching in the public schools of the state shall not be less, in the case of beginning teachers, than an amount determined by multiplying two and one-half cents by the general average given such teacher on his highest grade of license at the time of contracting. For teachers having had a successful experience for one school year of not less than six months, the daily wages shall be not less than an amount determined by multiplying three cents by the general average given such

teacher on his highest grade of license at the time of contracting. For teachers having had a successful experience for three or more school years of not less than six months each, the daily wages shall be not less than an amount determined by multiplying three and one-half cents by the general average given such teacher on his highest grade of license at the time of contracting. For teachers having had a successful experience of five or more school years of not less than six months each, the daily wages shall be not less than an amount determined by multiplying four cents by the general average given such teacher on his highest grade of license at the time of contracting. All teachers now exempt from examination shall be paid, as daily wages for teaching in the public schools, not less than an amount determined by multiplying three and one-half cents by the general average of scholarship and success given such teacher: *Provided*, That the grade of scholarship accounted in each case be that given at the teacher's last examination, and that the grade of success accounted be that of the teacher's term last preceding the date of contracting: *and, Provided further*, That two per cent. shall be added to the teacher's general average of scholarship and success for attending the county institute the full number of days, and that said two per cent. shall be added to the average scholarship of beginning teachers.

Qualifications of Teachers.

SEC. 2. That section two (2) of the above entitled act be amended to read as follows: The qualifications required for teaching for the different classes shall be as follows:

(a) A teacher without experience: Shall be a graduate of a high school or its equivalent. Shall have had not less than one term of twelve weeks' work in a school maintaining a professional course for the training of teachers: *Provided*, That completion of one year, or more, in a recognized college shall be accepted in lieu of twelve weeks' work in a school maintaining a professional course for the training of teachers. Shall have not less than a twelve months' license.

(b) A teacher with one school year's experience: Shall be a graduate of a high school or its equivalent. Shall

have not less than two terms or twenty-four weeks' work in a school maintaining a professional course for the training of teachers or the equivalent of such work: *Provided*, That the one year of college work optional for a teacher without experience shall be accepted as one of the required two terms of work, in this class. Shall have a two years' license. Shall have a success grade.

(c) A teacher with three or more years' successful experience: Shall be a graduate of a high school or its equivalent. Shall be a graduate from a school maintaining a professional course for the training of teachers, or its equivalent. Shall have a three years', five years', eight years', or a life license. Shall have a success grade.

(d) A teacher with five or more years' successful experience: Shall be a graduate of a high school or its equivalent. Shall be a graduate from a school maintaining a professional course for the training of teachers, or its equivalent. Shall have taught as a class (c) teacher two or more years previous to entering this class. Shall have a three years', five years', eight years', or life license. Shall have a success grade: *Provided*, That for teachers already in the service, prior to August, 1908, successful experience in teaching shall be accepted as an equivalent for high school and professional training, as required by all the above classifications.

[S. 192. Approved March 4, 1913.]

Schools—Teachers' Examination.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one (1) of the above entitled act be amended to read as follows: Section 1. That teachers in manual training, domestic science and art, and kindergarten departments of the elementary and high schools, and teachers of German, music, drawing, agriculture, physical culture and other special branches of instruction shall be examined by the county superintendents of schools at the times of regular teachers' examinations upon the branch or branches they are employed to teach, and in case they pass such examination successfully, and have met all the qualifications required by law, or the equivalent thereof prescribed

by the state board of education, they shall be licensed to teach such branch or branches for twelve (12), twenty-four (24), or thirty-six (36) months, according to the grades obtained upon such examination. Such license, however, shall not legally qualify its holder for the teaching of any branch or branches not covered by said examination, and such teachers at the time of examination shall have their manuscripts in music, drawing, manual training, cooking, sewing, agriculture, kindergarten, and physical training sent to the state department of public instruction for grading upon the terms and conditions prescribed by law for grading of manuscripts by the superintendent of public instruction.

[H. 347. Approved March 5, 1913.]

Teacher's Pension Fund—Terre Haute—Board of Commissioners.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That in every city in the State of Indiana, having a population of not less than 55,000 nor more than 60,000, according to the last preceding United States census, there shall be, and is hereby created a teachers' retirement fund, which shall be governed and managed by a board of commissioners, to be composed of five members, as follows:

The president of the board of school trustees of such city, the superintendent of public schools, one principal and two teachers regularly employed in the public schools of such city. Said principal and teachers shall be selected at a meeting of the public school teachers of such city on the fourth Saturday of March, 1913, in such manner and at such place or places as shall be determined and designated by the board of school trustees of such city; and thereafter there shall be selected on the fourth Saturday of March of each year one principal and two teachers as members of such board of commissioners. The commissioners shall hold their office until their successors shall be selected or elected as above set forth. In the event of a vacancy upon said board occasioned by the death, resignation or disability of either of said principal or teachers, then the public school

teachers of said city shall, within a reasonable time, upon the call of the president of said board of commissioners, hold a special meeting and elect a successor or successors. A majority of said commissioners shall constitute a quorum for the transaction of business pertaining to said retirement fund. Said commissioners shall receive no pay for their services as such, except the secretary and assistant treasurer, each of whom may be paid such sums for services as may be fixed by the board of commissioners: *Provided, however,* That if any one shall act as such secretary or assistant treasurer who shall receive any of the benefits of said retirement fund, as hereinafter provided, the amount of the salary so received by such secretary or assistant treasurer shall be deducted from the amount to which he or she would otherwise be entitled as a beneficiary.

Duties of Board and Officers.

SEC. 2. Said board of commissioners shall elect from among its number a president, vice-president and secretary. The president shall preside at the meetings of the board and perform all other duties usual to such office. The vice-president shall perform the duties of the president in his absence. It shall be the duty of the secretary to keep a true and accurate account of the proceedings of said board of commissioners, and of the teachers of such city when acting upon matters with relation to said fund, and to turn over to his or her successor all books and papers pertaining to such office. The secretary of the superintendent of schools of such city shall act as assistant treasurer, and it shall be his or her duty to keep a true and correct statement of the account of each member with said retirement fund, to collect and turn over to the treasurer of said board all moneys belonging to said fund, and to render to the board a monthly account of his or her doings. He or she shall furnish bond in such amount as shall be determined and required by said board of commissioners and the board of commissioners shall allow him or her such compensation for his or her services as it may deem proper. The treasurer of such city shall be ex-officio the treasurer of said board of commissioners, and he shall receive and hold all moneys belonging to such treasurer's retirement fund; he shall have the custody of

all notes, bonds and other securities belonging to said fund, and shall collect the principal and interest of the same and shall be liable on his bond as such city treasurer for the performance of all the duties imposed upon him by this act and for the faithful accounting of all moneys and securities, including both principal and interest which may come into his hands and which shall belong to such retirement fund. And he shall keep a separate account which shall show at all times the true condition of such funds. Said treasurer shall, upon the expiration of his term of office, account to said board of commissioners for all moneys, notes, bonds, and other securities coming into his hands, and for the interest, income, profits, rentals and proceeds of and from the same, and he shall turn over to his successor all moneys, notes, bonds and other securities belonging to said fund. The secretary, treasurer and assistant treasurer shall make a full, true and accurate report of their offices and trusts at each annual meeting of such teachers in March of each year. Their books shall at all times be open to inspection or examination.

Pension Fund—How Controlled.

SEC. 3. Such board of commissioners shall have full charge and control of the teachers' retirement fund of such city with power to adopt and enforce all needful regulations governing the same, not inconsistent with this act. Such fund shall be derived from the following sources:

First. All money that may be given to said board of commissioners or to said fund or to the board of school trustees of such city, for the use of said board of commissioners of teachers' retirement fund, by any person or persons. Such board of commissioners may take by gift, grant, devise or bequest, any money choses-in-action, personal property, real estate, or any interest therein, and any such gift, grant, devise or bequest, may be absolute, or upon the condition that only the rent, profits and income arising from the same shall be applied to the uses and purposes of said fund. Such board of commissioners shall be authorized to take such gift, grant, devise or bequest, under and by the style of the board of commissioners of the teachers' retirement fund, of such city, and to hold the same, or assign, transfer

or sell the same, whenever proper and necessary, under and by such name.

Second. Every teacher electing to accept the provisions of this act shall be assessed upon his or her salary as follows: For the first twelve years of teaching service, \$10.00 per year; for the next eight years of teaching service, \$20.00 per year; for each subsequent year of teaching service, not exceeding thirty years in all, \$25.00 per year. Members who have paid the fees for thirty years of teaching service, shall not be required to pay any additional fees however long thereafter they may remain in the employ of the board of school trustees. These rates shall be paid in equal payments corresponding with the second, fourth, sixth and eighth months of the year for which teachers' salaries are paid. Teachers accepting the provisions of this act shall be required to pay arrearages at the above rate with interest at 4% per annum for such time of service as they are authorized to have recognized under the provisions of this act: *Provided*, That any teacher entitled, under the provisions of this act, to a credit for one or more years of teaching service at the time when he or she elects to accept the provisions of this act, may waive his or her right to such credit and pay only current rates from the time when the membership begins, and receive no credit for previous service. Such arrearages may be paid in cash during the first year or may be paid in five equal installments with interest at the rate of 5% per annum, payable annually, upon the deferred installments; and in case the latter option is taken, interest upon the deferred installments shall commence at the end of the first year after electing to accept the provisions of this act: *Provided, further*, That in case any teacher is retired before he or she has paid in fees a sum equal to one-half of the maximum annuities to which he or she would be entitled, then and in that case there shall be deducted from the annuity to be paid to such retired teacher during the first year, such sum as will make the total amount paid by such teacher one-half of the maximum annuity to which he or she is entitled and the remainder of fees or arrearages due or to be paid by such retired teacher shall be payable in installments as hereinbefore set forth.

Third. The board of school trustees of such city shall levy each year, in addition to all other taxes authorized by

law, a special tax of one-fourth ($\frac{1}{4}$) of one mill upon each one dollar (\$1.00) of taxable property in the city, which sum shall be collected as other taxes are collected by law, and which shall be credited by the treasurer of such city to the said teachers' retirement fund, and shall not be used or devoted to any other than the purposes of said fund. And nothing in this act shall be deemed to take from said board of school trustees the powers now given to said board in relation to the levy of taxes under existing statutes.

Funds—How Invested.

SEC. 4. The board of commissioners of such teachers' retirement fund shall determine what part of said fund may be safely invested, and how much shall be retained for the immediate needs, demands and exigencies of said fund. Such investment shall be made: (1) In interest-bearing bonds of the United States, or of the State of Indiana, or in any bond lawfully issued by any state or county, township, city or other municipal corporation, either within or without the State of Indiana; (2) loans, secured by mortgage upon real estate within the county wherein such city is located, which loans shall not be in excess of fifty per centum of the appraised value of such real estate. All bonds, mortgages and other securities shall be deposited with and remain in the custody of the treasurer of said board, who shall collect all interest due thereon and all the income therefrom, as the same shall become due and payable.

Sinking Fund.

SEC. 5. The board of commissioners of such teachers' retirement fund shall establish a sinking fund, to the credit of which shall be put and deposited all gifts, grants, devises and bequests, and the unexpended balance remaining at the expiration of each fiscal year, and such sinking fund shall be and remain a permanent fund, and no part thereof shall be expended except the interest and income thereof and therefrom: *Provided*, That one-half of the amount added to such sinking fund any year may be used, if necessary, during the year immediately following.

Pensions—How Classified.

SEC. 6. Said teachers' retirement fund shall be used and devoted in the manner and for the purposes as follows: Any person electing the provisions of this act who shall have rendered twenty years or more of teaching service in the public schools, twelve of which may have been in public schools outside of said city of not less than 55,000 nor more than 60,000 inhabitants, according to the last preceding United States census, who ceases to be in the employ of the board of school trustees from any cause, shall be entitled to an annuity in accordance with the following schedule:

For 20 years of service.....	\$300 00
For 21 years of service.....	325 00
For 22 years of service.....	350 00
For 23 years of service.....	375 00
For 24 years of service.....	400 00
For 25 years of service.....	430 00
For 26 years of service.....	460 00
For 27 years of service.....	490 00
For 28 years of service.....	525 00
For 29 years of service.....	560 00
For 30 or more years of service.....	600 00

Provided, That no teacher in the service of said board of school trustees at the time of the passage of this act may be credited with more than twenty-five (25) years of service. Such annuities shall be paid in four equal payments as follows: On January first, April first, July first and October first, of each year. In the event that any teacher electing the provisions of this act for any reason leaves the services of the board of school trustees before said teacher has been credited with twenty (20) years of service, such teacher shall be entitled to withdraw from the treasury of said teachers' retirement fund, such sum as will equal all payments made by such teacher into the treasury of this fund as fees, without interest: *Provided, further*, That in the event that such teacher subsequently returns to the employ of the board of school trustees, such teacher shall be required to refund to said fund the amount so withdrawn, with interest thereon at the rate of 5 per cent. per annum, such sum to be so refunded within one (1) year from the date of

his or her return to service in the schools of said city of not less than 55,000 nor more than 60,000 inhabitants. In the event of the death of any teacher electing the provisions of this act, before such teacher has been retired upon an annuity, then and in that case the heirs or legatees of such deceased teacher shall be entitled to a sum out of said fund equal to the sum paid into said fund by such deceased teacher, without interest: *Provided, further,* That no teacher retiring before being credited with thirty (30) years of service may be entitled to an annuity unless such teacher be granted such annuity by the board of commissioners of said retirement fund at the time of such retirement.

Time of Service—How Computed.

SEC. 7. In computing years of service, as provided in this act, the board of commissioners may include service as a public school teacher rendered outside of such city, not, however, in excess of twelve years, as a portion of such services necessary before any teacher shall be entitled to any of the benefits of this act: *Provided,* That nothing in this section shall affect the amount or amounts to be paid into such retirement fund by teachers before being entitled to an annuity. And any teacher may be given a leave of absence for study, professional improvement or temporary disability, not exceeding one (1) year in seven (7), and shall be regarded as a teacher and entitled to the benefits of this act: *Provided,* That during such absence he or she continues to pay into such fund the amount of assessment payable by such teacher as provided in the schedule in section 6 of this act.

Services Before Passage of Act.

SEC. 8. In computing time, under the provisions of this act, such time shall include services rendered before, as well as after, the taking effect of this act. And the full term or year of school in the corporation in which such service was rendered shall constitute a year of service under this act.

By-Laws for Management.

SEC. 9. The board of commissioners shall have the power and authority to make all necessary by-laws providing for

the election of such commissioners to be elected as in this act provided, the counting and canvassing of the votes for the same, their meetings, for the collection of all moneys and other property coming or belonging to said fund, and all other matters connected with the care, preservation and disbursements of the same, and the proper execution of the purposes and provisions of this act. And any annuity authorized by the board under this act shall be subject to reduction by said board of commissioners whenever in its judgment the condition of the retirement fund renders such reduction proper or necessary, and any annuity so reduced may thereafter be restored or increased, as such board may deem best.

Pensions Exempt from Levy.

SEC. 10. All annuities granted and payable out of said teachers' retirement fund shall be and are exempt from seizure or levy upon attachment, execution, supplemental process and all other process, whether mesne or final; and such annuities or any payment of the same shall not be subject to sale, assignment or transfer by any beneficiary and such transfer shall be absolutely void.

Definition.

SEC. 11. The term "teacher" as used in this act shall mean and include the superintendent of schools, the secretary to the superintendent, any principal, assistant principal, assistant superintendent, supervisor, assistant supervisor, person in charge of any special department of instruction, and any teacher or instructor now or hereafter regularly employed as such by the board of school trustees of such city.

Repeal.

SEC. 12. All laws and parts of laws in conflict with any of the provisions of this act are hereby repealed.

Emergency.

SEC. 13. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

[H. 443. Approved March 15, 1913.]

Teachers' Pensions—Cities 20,000 to 100,000—Board.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That in every city in the State of Indiana having a population of not less than 20,000 nor more than 100,000 according to the last preceding United States census, there may be created a teachers' retirement fund, which shall be governed and managed by a board of commissioners, to be composed of five members, as follows :

The president of the board of school trustees of such city, the superintendent of public schools, one principal and two teachers regularly employed in the public schools of such city. Said principal and teachers shall be selected at a meeting of the public school teachers of such city on the fourth Saturday of March, 1913, in such manner and at such place or places as shall be determined and designated by the board of school trustees of such city; and thereafter there shall be selected on the fourth Saturday of March of each year one principal and two teachers as members of such board of commissioners. The commissioners shall hold their offices until their successors shall be selected or elected as above set forth. In the event of a vacancy upon said board occasioned by the death, resignation or disability of either of said principal or teachers, then the public school teachers of said city shall, within a reasonable time, upon the call of the president of said board of commissioners, hold a special meeting and elect a successor or successors. A majority of said commissioners shall constitute a quorum for the transaction of business pertaining to said retirement fund. Said commissioners shall receive no pay for their services as such, except the secretary and assistant treasurer, each of whom may be paid such sums for services as may be fixed by the board of commissioners: *Provided, however*, That if anyone shall act as such secretary or assistant treasurer who shall receive any of the benefits of said retirement fund, as hereinafter provided, the amount of the salary so received by such secretary or assistant treasurer shall be deducted from the amount to which he or she would otherwise be entitled as a beneficiary.

Officers of Board—Duties.

SEC. 2. Said board of commissioners shall elect from among it number a president, vice-president and secretary. The president shall preside at the meetings of the board and perform all other duties usual to such office. The vice-president shall perform the duties of the president in his absence. It shall be the duty of the secretary to keep a true and accurate account of the proceedings of said board of commissioners, and of the teachers of such city when acting upon matters with relation to said fund, and to turn over to his or her successor all books and papers pertaining to such office. The secretary of the superintendent of schools of such city shall act as assistant treasurer, and it shall be his or her duty to keep a true and correct statement of the account of each member with said retirement fund, to collect and turn over to the treasurer of said board all moneys belonging to said fund, and to render to the board a monthly account of his or her doings. He or she shall furnish bond in such amount as shall be determined and required by said board of commissioners and the board of commissioners shall allow him or her such compensation for his or her services as it may deem proper.

The treasurer of such city shall be ex-officio the treasurer of said board of commissioners, and he shall receive and hold all moneys belonging to such teachers' retirement fund; he shall have the custody of all notes, bonds and other securities belonging to said fund, and shall collect the principal and interest of the same and shall be liable on his bond as such city treasurer for the performance of all the duties imposed upon him by this act and for the faithful accounting of all moneys and securities, including both principal and interest which may come into his hands and which shall belong to such retirement fund. And he shall keep a separate account which shall show at all times the true condition of such fund. Said treasurer shall, upon the expiration of his term of office, account to said board of commissioners for all moneys, notes, bonds, and other securities coming into his hands, and for interest, income, profits, rentals and proceeds of and from the same, and he shall turn over to his successor all moneys, notes, bonds and other securities belonging to said fund.

The secretary, treasurer and assistant treasurer shall make a full, true and accurate report of their offices and trusts at each annual meeting of such teachers in March of each year. Their books shall at all times be open to inspection or examination.

Rules and Regulations.

SEC. 3. Such board of commissioners shall have full charge and control of the teachers' retirement fund of such city with power to adopt and enforce all needful regulations governing the same, not inconsistent with this act. Such fund shall be derived from the following sources:

First. All moneys that may be given to said board of commissioners or to said fund or to the board of school trustees of said city, for the use of said board of commissioners of teachers' retirement fund, by any person or persons. Such board of commissioners may take by gift, grant, devise or bequest, any money, choses-in-action, personal property, real estate, or any interest therein, and any such gift, grant, devise or bequest, may be absolute, or upon the condition that only the rent, profits and income arising from the same shall be applied to the use and purposes of said fund. Such board of commissioners shall be authorized to take such gift, grant, devise or bequest, under and by the style of the board of commissioners of the teachers' retirement fund, of such city, and to hold the same, or assign, transfer or sell the same, whenever proper and necessary, under and by such name.

Second. Every teacher electing to accept the provisions of this act shall be assessed upon his or her salary as follows: For the first twelve years of teaching service, \$10.00 per year; for the next eight years of teaching service, \$20.00 per year; for each subsequent year of teaching service, not exceeding thirty years in all, \$25.00 per year.

Members who have paid the fees for thirty years of teaching service, shall not be required to pay any additional fees however long thereafter they may remain in the employ of the board of school trustees. These rates shall be paid in equal payments corresponding with the second, fourth, sixth and eighth months of the year for which teachers' salaries are paid.

Teachers accepting the provisions of this act shall be required to pay arrearages at the above rate with interest at 4% per annum for such time of service as they are authorized to have recognized under the provisions of this act, provided that any teacher entitled, under the provisions of this act, to a credit for one or more years of teaching service at the time when he or she elects to accept the provisions of this act, may waive his or her right to such credit and pay only current rates from the time when the membership begins, and receive no credit for previous service. Such arrearages may be paid in cash during the first year or may be paid in five equal installments with interest at the rate of 5% per annum, payable annually, upon the deferred installments; and in case the latter option is taken, interest upon the deferred installments shall commence at the end of the first year after electing to accept the provisions of this act: *Provided, further,* That in case any teacher is retired before he or she has paid in fees a sum equal to one-half of the maximum annuities to which he or she would be entitled, then and in that case there shall be deducted from the annuity to be paid to such retired teacher during the first year, such sum as will make the total amount paid by such teacher one-half of the maximum annuity to which he or she is entitled and the remainder of fees or arrearages due or to be paid by such retired teacher shall be payable in installments as hereinbefore set forth.

Third. The board of school trustees of such city shall levy each year, in addition to all other taxes authorized by law, a special tax of one-fourth ($\frac{1}{4}$) of one mill upon each one dollar (\$1.00) of taxable property in the city, which sum shall be collected as other taxes are collected by law, and which shall be credited by the treasurer of such city to the said teachers' retirement fund, and shall not be used or devoted to any other than the purposes of said fund. And nothing in this act shall be deemed to take from said board of school trustees the powers now given to said board in relation to the levy of taxes under existing statutes.

Fund Invested.

SEC. 4. The board of commissioners of such teachers' retirement fund shall determine what part of said fund may

be safely invested, and how much shall be retained for the immediate needs, demands and exigencies of said fund. Such investment shall be made: (1) In interest-bearing bonds of the United States, or of the State of Indiana, or in any bond lawfully issued by any state or county, township, city or other municipal corporation, either within or without the State of Indiana; (2) loans, secured by mortgage upon real estate within the county wherein such city is located, which loans shall not be in excess of fifty percentum of the appraised value of such real estate. All bonds, mortgages and other securities shall be deposited with and remain in the custody of the treasurer of said board, who shall collect all interest due thereon and all the income therefrom, as the same shall become due and payable.

Sinking Fund.

SEC. 5. The board of commissioners of such teachers' retirement fund shall establish a sinking fund, to the credit of which shall be put and deposited all gifts, grants, devises and bequests, and the unexpended balance remaining at the expiration of each fiscal year, and such sinking fund shall be and remain a permanent fund, and no part thereof shall be expended except the interest and income thereof and therefrom: *Provided*, That one-half of the amount added to such sinking fund any year may be used, if necessary, during the year immediately following.

Annual Pensions.

SEC. 6. Said teachers' retirement fund shall be used and devoted in the manner and for the purposes as follows:

Any person electing the provisions of this act who shall have rendered twenty years or more of teaching service in the public schools, twelve of which may have been in public schools outside of said city of not less than 20,000 nor more than 100,000 inhabitants, according to the last preceding United States census, who ceases to be in the employ of the board of school trustees from any cause, shall be entitled to an annuity in accordance with the following schedule:

For 20 years of service.....	\$300 00
For 21 years of service.....	325 00
For 22 years of service.....	350 00

For 23 years of service.....	375 00
For 24 years of service.....	400 00
For 25 years of service.....	430 00
For 26 years of service.....	460 00
For 27 years of service.....	490 00
For 28 years of service.....	525 00
For 29 years of service.....	560 00
For 30 or more years of service.....	600 00

Provided, That no teacher in the service of said board of school trustees at the time of the passage of this act may be credited with more than twenty-five (25) years of service.

Such annuities shall be paid in four equal payments as follows: On January first, April first, July first and October first, of each year.

In the event that any teacher electing the provisions of this act for any reason leaves the services of the board of school trustees before said teacher has been credited with twenty (20) years of service, such teacher shall be entitled to withdraw from the treasury of said teachers' retirement fund, such sum as will equal all payments made by such teacher into the treasury of this fund as fees, without interest.

Provided, further, That in the event that such teacher subsequently returns to the employ of the board of school trustees, such teacher shall be required to refund to said fund the amount so withdrawn, with interest thereon at the rate of 5 per cent. per annum, such sum to be so refunded within one (1) year from the date of his or her return to service in the schools of said city of not less than 20,000 nor more than 100,000 inhabitants. In the event of the death of any teacher electing the provisions of this act, before such teacher has been retired upon an annuity, then and in that case the heirs or legatees of such deceased teacher shall be entitled to a sum out of said fund equal to the sum paid into said fund by such deceased teacher, without interest.

Provided, further, That no teacher retiring before being credited with thirty (30) years of service may be entitled to an annuity unless such teacher be granted such annuity by

the board of commissioners of said retirement fund at the time of such retirement.

Years of Service—How Computed.

SEC. 7. In computing years of service, as provided in this act, the board of commissioners may include service as a public school teacher rendered outside of such city, not, however, in excess of twelve years, as a portion of such services necessary before any teacher shall be entitled to any of the benefits of this act: *Provided*, That nothing in this section shall affect the amount or amounts to be paid into such retirement fund by teachers before being entitled to an annuity. And any teacher may be given a leave of absence for study, professional improvement or temporary disability, not exceeding one (1) year in seven (7), and shall be regarded as a teacher and entitled to the benefits of this act: *Provided*, That during such absence he or she continues to pay into such fund the amount of assessment payable by such teacher as provided in the schedule in section six (6) of this act.

Definition.

SEC. 8. In computing time, under the provisions of this act, such time shall include services rendered before, as well as after, the taking effect of this act. And the full term or year of school in the corporation in which such service was rendered shall constitute a year of service under this act.

Election of Commissioners—By-Laws.

SEC. 9. The board of commissioners shall have the power and authority to make all necessary by-laws providing for the election of such commissioners to be elected as in this act provided, the counting and canvassing of the votes for the same, their meetings, for the collection of all moneys and other property coming or belonging to said fund, and all other matters connected with the care, preservation and disbursement of the same, and the proper execution of the purposes and provisions of this act. And any annuity authorized by the board under this act shall be subject to reduction by said board of commissioners whenever in its

judgment the condition of the retirement fund renders such reduction proper or necessary, and any annuity so reduced may thereafter be restored or increased, as such board may deem best.

Pensions Exempt from Attachment.

SEC. 10. All annuities granted and payable out of said teachers' retirement fund shall be and are exempt from seizure or levy upon attachment, execution, supplemental process and all other process, whether mesne or final; and such annuities or any payment of the same shall not be subject to sale, assignment or transfer by any beneficiary and such transfer shall be absolutely void.

Definition of "Teacher."

SEC. 11. The term "teacher" as used in this act shall mean and include the superintendent of schools, the secretary to the superintendent, any principal, assistant principal, assistant superintendent, supervisor, assistant supervisor, person in charge of any special department of instruction, and any teacher or instructor now or hereafter regularly employed as such by the board of school trustees of such city.

Repeal.

SEC. 12. All laws or parts of laws in conflict with any of the provisions of this act are hereby repealed.

Emergency.

SEC. 13. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

[H. 268. Approved March 14, 1913.]

Schools—Transportation of Pupils—Payment of Expense.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section two (2) of the above entitled act be amended to read as follows: Section 2. It shall be the duty of the township trustee to provide for the edu-

cation of such pupils as are affected by such or any former discontinuance in other schools, and they shall provide and maintain means of transportation for all such pupils that live at a greater distance than two (2) miles and for all pupils between the ages of six (6) and twelve (12) that live less than two (2) miles and more than one (1) mile from the schools to which they may be transferred, either within the township or in an adjoining township or school corporation, as a result of such discontinuance. In all townships where a school has been abandoned under the provisions of this act, the trustee shall provide for the transportation of all pupils of any other school of such township who live more than two (2) miles and all pupils between the ages of six (6) and twelve (12) that live more than one (1) mile from the school to which they are attached, whenever a majority of the patrons of such school petition the trustee to provide such transportation. Such transportation shall be in comfortable and safe conveyances. The drivers of such conveyances shall furnish the teams therefor, and shall use every care for the safety of the children under their charge, and shall maintain discipline in such conveyances. Restrictions as to the use of public highways shall not apply to such conveyances. The expenses necessitated by the carrying into effect of the provisions of this act shall be paid from the special school fund.

[H. 672. Approved March 15, 1913.]

Schools—City and Township—Joint Graded School.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That section one (1) of the above entitled act be amended to read as follows: Section 1. That whenever twenty-five (25) legal voters residing in any incorporated town or city of the fifth class and twenty-five (25) legal voters residing in the same township, but outside said town or said city shall petition the school board of said town or said city and the township trustee of the township in which said town or said city is located to erect a joint school house for a joint graded school, or a joint high school, or both, or such modification thereof as may be practicable, it shall be the duty of the school trustee of

said town or said city and of said township trustee or a majority of them to call elections of the voters of the town or city and the voters of the townships residing outside of such town or city respectively, for the purpose of determining whether a majority of the legal voters of each school corporation are in favor of building said joint school house. Such elections of the legal voters of the townships outside of the town or city shall be separate and independent. Said trustees shall, upon the filing of said petitions, give notice by publication, for three successive publications, in a weekly newspaper, if any, published in said township, and if no weekly is published in said township, then in the nearest newspaper published in said county, that on a day to be named by said trustee the polls will open at the several voting places in said township named in the petition for the purpose of taking the vote of the legal voters thereof upon whether such joint school house shall be built; said elections shall be held not less than ten (10) days nor more than twenty (20) days after the last publication of said notice.

Cost of Construction—Tax Levy—Bonds Issued.

SEC. 2. That section three (3) of the above entitled act be amended to read as follows: Section 3. The cost of the construction of such joint school house shall be borne by such school corporation in proportion to the total amount of taxable property in each of such school corporation. If such school town or school city shall not have money available to pay for its proportionate part of the cost of the construction of said joint school house, the school trustee of such town or such city may issue warrants or bonds of such corporation to meet such proportionate cost. If there are not sufficient funds available out of the annual township levy to meet the proportionate cost of said school house to be paid by such township, then the township advisory board of such township shall order bonds or warrants to be issued, and the township trustee shall issue township warrants or bonds to meet such proportionate cost to be paid by such school township. Such bonds authorized by this act shall be payable in such amounts and at such times as the trustees of said corporations respectively may determine

and shall bear such rate of interest as may be determined, not exceeding four and one-half ($4\frac{1}{2}$) per cent.

Joint Ownership of Property.

SEC. 3. That section four (4) of the above entitled act be amended to read as follows: Section 4. Any school house constructed under the provisions of this act shall be joint property of said corporations, and such property shall be owned by such corporations in proportion to the amount paid by each for the construction of the same, and said school shall be open to all pupils residing in said town or city or township free of tuition. The trustee of said school corporations shall have the control and management of said school house and school and the right to employ teachers in such school. Neither of said corporations shall ever be deprived of its ownership in said building except upon full compensation for its proportionate interest in the same.

[H. 773. Approved March 10, 1913.]

Taxation—State Revenue—Levy—General Fund.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That in the year 1913 and annually thereafter, there shall be levied and collected as other state taxes are levied and collected the sum of seven cents upon each one hundred dollars' worth of taxable property, and fifty cents on each taxable poll in the State of Indiana, which money when collected shall be paid into the general fund of the state treasury.

Benevolent Institution Fund—Levy.

SEC. 2. There shall be in the year 1913 and annually thereafter, levied and collected as other state taxes are levied and collected the sum of ten cents on each one hundred dollars worth of taxable property in the State of Indiana, which money, when collected, shall be paid into the state treasury and shall be kept and known as the "benevolent institution fund," and shall be used for the support of the benevolent and reformatory institutions of the state: *Provided*, That whenever there shall be a credit to said

“benevolent institution fund,” as the result of the tax in this section provided for, or from any such tax heretofore levied and collected, the auditor of state is authorized and empowered to charge to such fund and transfer and credit to the general fund any sum or sums that may have been heretofore, or that may hereafter be paid out of the general fund for the use and benefit of said benevolent institutions, and whenever there shall be a deficit in such fund there shall be transferred from the general fund and credited to the benevolent institution fund a sum sufficient to meet such deficit.

State Debt Sinking Fund—Levy.

SEC. 3. That there shall be levied and collected in the year 1914, and annually thereafter, as other state taxes are levied and collected, the sum of one and one-half ($1\frac{1}{2}$) cents on each one hundred dollars (\$100.00) worth of taxable property of this state, which money when so collected, shall be paid into the state treasury, and shall be kept and known as the “state debt sinking fund” and the proceeds from such levy and tax shall be used for the payment of the principal and interest of the public debt of this state as the same may become due, and payable, and such tax shall not be diverted from said purpose.

Educational Institution Fund—Levy.

SEC. 4. There shall be levied and collected upon the taxable property of the State of Indiana in the year 1913, and in each year thereafter, for the use and benefit of the Indiana University (Indiana University School of Medicine, and Hospital), Purdue University and the Indiana State Normal School to be apportioned as hereinafter in this act provided, a tax of seven cents on each one hundred dollars of taxable property in Indiana, to be levied, collected and paid into the treasury of the State of Indiana, in like manner as other state taxes are levied and collected and paid, and the same shall be distributed and apportioned among them, severally upon the basis as follows, viz: To the said trustees of Indiana University upon the basis of two-fifths (2-5) of the total proceeds of this tax; to the trustees of Purdue University upon the basis of two-fifths (2-5) of the

total proceeds of this tax; and to the trustees of the Indiana State Normal School upon the basis of one-fifth (1-5) of the total proceeds of this tax. The money derived from the tax provided for in this act shall be paid to the trustees of said institutions on warrants of the auditor of state, in the same manner as the benevolent institution fund is disbursed to boards of trustees of benevolent and reformatory institutions. When the funds provided for by this act for said educational institutions shall become available, said funds shall constitute the total amounts to be paid out of the treasury of the state to said institutions for any purpose, thereafter, and all acts and parts of acts in conflict with this provision are hereby repealed: *Provided*, That nothing in this act shall effect in any way any endowment or permanent fund or funds that may belong to or may have been appropriated for either Indiana University or Purdue University or the right of any of said institutions mentioned in this act to any taxes heretofore levied for their benefit, but all such taxes heretofore levied are hereby saved to said institutions: *And, provided, further*, That no part of the general school revenue of the state shall be deducted or set apart to the State Normal School.

Unexpended Balance—Educational Institution Fund.

SEC. 5. In case there shall be any unexpended balance at the end of any fiscal year, of the funds provided for by this act, apportioned to any one of said educational institutions, the same shall not revert to the general fund but shall remain and belong to said institution to which it was apportioned, to be expended in the future only for the physical improvement of such institution; and no educational institution herein named shall construct any new building or buildings from said fund without first receiving the approval of the state board of finance.

Repeal.

SEC. 6. All laws in conflict with the provisions of this act, except where otherwise provided herein, are hereby repealed.

Emergency.

SEC. 7. Whereas an emergency exists for the immediate taking effect of this act, the same shall be in full force from and after its passage.

[H. 502. Approved February 24, 1913.]

Wills—Public Bequests—Exempt from Taxation.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That when any money or property is given by will, or otherwise, to any executor or other trustee to be by him used and applied for the use and benefit of any municipal, educational, literary, scientific, religious or charitable purpose within the State of Indiana, and the money or property, if it had been given directly for any such purpose, would not be subject to taxation under existing laws, then and in all such cases, such money or property shall be exempt from all taxation while in the hands of such executor or other trustee: *Provided*, He shall be diligently and in good faith endeavoring to carry out the provisions of the will or other trust arrangement, and to use and apply such money or property to the purpose for which the same is donated. And in all such cases where any money or property has been assessed for taxation to any executor or trustee for the tax year 1912, the taxes thereon for such year are hereby declared to be void and shall not be collected, and for such year and all subsequent years such money or property shall be deemed to have been and be exempt from all taxation.

Emergency.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[S. 219. Approved March 14, 1913.]

Schools—Compulsory Attendance of Children.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That it shall be the duty of every parent, guardian, or other person, in the State of Indiana, having

the control or charge of any child, to cause such child to attend regularly a public, private, or parochial day-school, or two or more of such schools, during each school year for a term or period not shorter than that of the common schools of the school corporation in this state where the child resides. This section shall apply to every child not physically or mentally disqualified, as hereinafter provided, who shall be of the age of seven years and of not more than the age of fourteen years, and shall apply to every child of fourteen years or more and not more than sixteen years of age, who is not actually and regularly employed, during the hours of the common school of such school corporation, in a useful employment or service, or is not lawfully employed in a gainful service agreeably to the provisions of this act concerning the employment of children in gainful occupations. If a child otherwise subject to the provisions of this act shall be, as evidenced by a certificate of a reputable, duly licensed, and practicing physician, either physically or mentally unfit to attend school, then during such disability this act shall not apply to such child. If in the absence of such certificate, the person having control or charge of any child shall claim that it is so physically or mentally unfit, then it shall be the duty of the common school corporation, where the child resides, to cause the child to be examined by such physician or physicians, and if such physician or physicians, shall certify that such child is mentally or physically fit to attend school, then such child shall not be exempt from the provisions of this act, but unless they so certify such child shall be exempt from the provisions of this act during the continuance of such disability: *Provided*, If a child, otherwise subject to the provisions of this act, shall by reason of deafness, or partial deafness, or of blindness, or partial blindness, be unable to secure in the school named herein a proper education by use of the sense of hearing, or of the sense of sight, the parent, guardian, or other person having the control or charge of such children shall cause them between seven and eighteen years of age to attend the Indiana state school for the deaf; or the Indiana school for the blind, during the full scholastic terms of said schools unless discharged therefrom by the board of trustees of either of said schools; and the employ-

ment under the provisions of this act of any of said children between the ages of seven and eighteen years during the school terms of said schools respectively is hereby prohibited unless a certificate of discharge issued by the superintendent of either of said schools be presented as herein provided. Application for admission of such children to such school, respectively, shall be made out in the usual form and passed upon by the board of trustees of said respective schools, and no child shall be permitted to enter either of said schools until the application shall have been accepted by the proper board of trustees, and upon the rejection of any child's application by either of said boards, neither such child nor its parent, guardian, or other person having control or charge of it, shall thereafter, in respect of such child, be subject to the provisions of this act, until such child's application shall be accepted.

For the purpose of enforcing this act the age of children shall be established, if possible, first, by a duly verified copy of birth certificate or baptismal certificate or passport to be produced to the proper common school corporation by parents, guardians or other persons having control or charge of children. If neither such certificate nor passport exists, then the age shall be established by the first school enumeration in which the age of the child appears. If there be no such enumeration then by the affidavit of the parent, guardian, or other person having control or charge of children, and the supporting affidavit of some disinterested person.

Age Limit—Employment.

SEC. 2. No child under sixteen years of age who under the provisions of this act would otherwise be required to attend school, shall be employed in any occupation during hours wherein the common schools at the residence of the child are in session, unless the child shall have attained the age of fourteen years and shall have procured a certificate from the executive officer of the common school corporation of which the child is a resident, or some person designated by him, showing the age, date and place of birth, if known, or ascertainable, of such child and showing that the child has passed the fifth grade in the common schools, or its

equivalent and a written and signed statement from the child's employer showing that the person making it has employed or is about to employ, such child; and showing the place and character of the employment. For the purpose of making the certificate herein required, it shall be the duty of such common school executive or other person designated by him, to obtain the information required as in section 1 of this act. If the date or place of birth can not be ascertained in any of these modes, then the school officer may certify that, in his opinion, the child is fourteen years of age, or more, and is physically fit to undertake the work he intends to do and to issue the certificate in accordance therewith to the employer or prospective employer of the child. The employer shall keep the certificate on file and shall produce it for inspection and demand by any inspector of the department of inspection or any other official authorized by law to inspect the same, and shall immediately when his employment of such child shall cease, in writing, notify the school corporation of that fact and the date thereof, on blanks to be attached to the certificate by the school corporation. It shall be unlawful for the employer to re-employ the child without a like new certificate. Such certificate having been presented to the employer, it shall not be necessary for the employer to procure another affidavit of the child's age for the service in the occupation mentioned in the statement of the employer to the school corporation. The state board of truancy shall define the meaning of the word occupation as used in this act.

Attendance Officer—Duties.

SEC. 3. Attendance officers whose appointment is by this act provided for, are hereby empowered and authorized to enter any place wherein children are employed for the purpose of determining whether any children are so employed in violation of the provisions of this act. It shall be the duty of all parents, guardians, and other persons having control or charge of children, and of all employers of children, to furnish the attendance officers, upon request, full information concerning children employed by them, and for such purpose attendance officers shall have the right to

examine any employment certificates, notices, registers, or other lists concerning employed children, required by the law to be kept on file or posted in places where children are employed.

How Appointed.

SEC. 4. The attendance officers mentioned in this act shall be appointed on the first Monday in May of each year and shall take office on the first day of the following August. The county board of education shall appoint an attendance officer for the county, who shall be known as county attendance officer, and who shall be under the county superintendent, in carrying out the provisions of this statute and who shall be subject to removal from office by the county board of education for inefficiency, incompetency, or neglect of duty. In counties having a population of fewer than 25,000 inhabitants, according to the last preceding United States census, the county board of education, shall appoint the county attendance officer, and the person so selected shall serve also as probation officer of such county. It shall be the duty of such attendance officer to see that the provisions of this act are complied with, and when from personal knowledge or by report or complaint from any resident or teacher within the territory under his supervision, he believes that any child, subject to the provisions of this act is habitually tardy or absent from school he shall immediately give or send by mail, to the parent, guardian, or other person having control or charge of such child, a written notice that the prompt and regular attendance of such child at school is required, and if, within five days after this mailing or giving of notice, the person to whom it shall be given shall not comply with the provisions of this statute respecting the attendance of such child at school, then such attendance officer shall make complaint against the person so notified in the juvenile court of that county, or the circuit court acting as juvenile court, or in any court of record, setting forth the violation of the provisions of this act. But one notice shall be required for any one child during any one school year. Any person so notified who shall violate the provisions of this statute concerning the attendance of a child at school, shall be adjudged guilty of a misdemeanor

and upon conviction thereof shall be fined not less than one dollar nor more than twenty-five dollars, to which may be added in the discretion of the court, imprisonment in the county jail for not less than two nor more than ninety days. Any attendance officer failing to perform any duties imposed upon him by the provisions of this act shall, upon conviction, be fined in the sum of five dollars for each such failure.

Number of Attendance Officers.

SEC. 5. A city having a school enumeration of 2,000 or more children, or two or more cities or towns in any county having a combined school enumeration of 2,000 or more, may, if it or they desire, constitute a separate district for the administration of this act. Cities of this state having a school enumeration of 2,000 and less than 10,000 children, shall have but one attendance officer; cities of more than 10,000 and fewer than 20,000 may have two attendance officers; cities of 20,000 and fewer than 30,000 may have three attendance officers; cities of 30,000 and fewer than 40,000 may have four attendance officers; and cities of 40,000 or more school enumeration may have five or more attendance officers, the number to be determined by the board of school commissioners of such city. The attendance officers of cities and such separate districts constituted as above provided, shall enforce the provisions of this act in the manner mentioned in section 4 hereof and shall be subject to the penalties therein mentioned for failure in the performance of duty. The attendance officers of cities mentioned in this act shall be appointed by the school trustees or board of school commissioners, respectively, of such city. A person to be eligible for appointment as county or other attendance officer, in pursuance of this act shall have completed the eighth grade of the state's common schools or have an education equivalent thereto.

Per Diem.

SEC. 6. Attendance officers shall receive from the county treasury two dollars for each day of actual service, to be paid by the county treasurer upon a warrant signed by the county auditor, and the county council shall appropriate,

and the board of county commissioners shall allow the funds necessary to make such payment. No warrant for the payment of such compensation to any attendance officer shall be issued until the attendance officer shall have filed, with the county auditor an itemized statement of the time he has been employed, and until such statement shall have been certified by the superintendent of schools of the county or of the school corporation which he serves.

Record of Attendance.

SEC. 7. An accurate record of the attendance of all children who have reached the age of seven years and have not passed the age of sixteen shall be kept daily by the teacher of every school, showing by the year, month, day of the month, and day of the week, such attendance. Such records shall at all times be open to the school authorities of the city or district and every such teacher shall fully answer all inquiries lawfully made by such school authorities or by attendance officers or other duly authorized persons. All school officers and teachers are hereby required to make and furnish all reports that may be required by the superintendent of public instruction, by the state board of truancy, or the attendance officer with reference to the workings of this act.

State Board of Truancy.

SEC. 8. A state board of truancy, to consist of the state superintendent of public instruction, a member of the state board of education, designated by that board for such purpose, and the secretary of the board of state charities, is hereby created. Said board shall have power to determine the special educational requirements to be possessed by all persons appointed as attendance officers and shall take such steps toward the uplift, unification, and systematization of methods of attendance work in this state as may be deemed proper by them and shall have all powers specified in this act; and shall have power and be charged with the duty and responsibility of administering this act, defining the meaning of the terms used herein and setting up such standards, rules, regulations, and procedure under the provisions of this act as may be necessary from time to time to carry

the same into effect and which local authorities charged with the administration of this act shall be required to follow.

Assistance Furnished.

SEC. 9. If any parent, guardian, or other person having control or charge of any child, who is subject to the provisions of this act, does not have sufficient means to furnish such child with books and clothing necessary to the attendance upon school, then the school corporation where such child resides shall furnish it temporary aid for such purpose, which aid shall be allowed and repaid to such school corporation upon the certificate of the executive officer of such school corporation, by the township overseer of the poor in the manner provided by law for the relief of the poor. Such certificate shall be accompanied by such information as will enable the overseer of the poor to make the reports required by law governing the relief of the poor.

Separate Schools for Incurrigibles.

SEC. 10. All common school corporations in this state are hereby empowered to maintain, either within or without the corporate limits of such corporation, a separate school for incurrigible and truant children. Any child who shall be a truant or incurrigible may be compelled by the school corporation to attend such separate school for an indeterminate time.

Confirmed Truant.

SEC. 11. Any child, subject to the provisions of this act who habitually absents itself from school may be declared by the attendance officer and superintendent of schools of the county or of the city where it resides a confirmed truant. Such confirmed truant may be sentenced by the judge of the juvenile court, or by the judge of the circuit court acting as judge of the juvenile court or by the judge of any court of record, if a boy, to the Indiana boys' school, or if a girl, to the Indiana girls' school provided such child is within the age limit set for admission to such institutions. If deemed advisable by the judge such incurrigible child

may be sent to such other custodial institution within the state as the judge may designate. Its maintenance in such institution shall be paid as the law provides for the maintenance of dependent children committed by the court to such custodial institutions. In all cases where a child is so committed to an institution it shall be placed in charge of the probation officer or some other person designated by the court, to be conveyed under his direction to the designated institution, and the actual necessary expense thereby incurred shall be paid by the board of county commissioners. A woman shall always be sent as such attendant with girls so committed.

Expenses—Special Levy.

SEC. 12. For the defraying of the expenditures necessary in the carrying out of the provisions of this statute, common school corporations of this state are empowered to levy in addition to any and all sums otherwise provided by law an amount of special school revenue not exceeding five cents on each \$100.00 of taxable property, and such taxes shall be levied and collected as other special school revenues.

Duties of Enumerators.

SEC. 13. In order that the provisions of this act may be more definitely enforced, it is hereby provided that the enumerators of school children, in taking the annual school census shall ascertain and record the place and date of birth of every child enumerated, and the parent, guardian, or other persons having control or charge of such children, shall subscribe and take oath or affirmation that such record is true to the best of his information, knowledge, or belief. The enumerator is hereby empowered to administer such oath or affirmation and any parent, guardian, or other person having control or charge of children, who shall refuse to take such oath or affirmation, unless the refusal be based upon the want of knowledge, information, or belief, shall be adjudged guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one dollar (\$1.00).

Information for Attendance Officer.

SEC. 14. On or before the first day of each school year the executive officer of each school corporation shall furnish the attendance officer thereof with the names of the children, subject to the provisions of this act, who are enumerated in the regular enumeration lists. These names shall be alphabetically arranged, and such official shall give to the attendance officer all information contained in the regular enumeration returns concerning the children so listed. The county and each school corporation, shall provide its own attendance officers with the necessary postage and such blanks as may be required by the state board of truancy or the state superintendent of public instruction pertaining to the due execution of the duties of such attendance officers.

Penalty.

SEC. 15. Any parent, guardian, or other person having control or charge of children who shall permit the employment of any child in violation of section 2 of this act and any one who shall employ a child in violation of that section and any person who shall violate any provision of this act, for which offense no penalty is hereinbefore denounced, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than ten dollars, nor more than fifty dollars.

Repeal.

SEC. 16. The statute of 1901, in force March 11, 1901 (session laws of 1901, page 470) entitled "An act concerning the education of children," and all acts supplemental thereof and amendatory thereto, and all other laws and parts of laws in so far as in conflict to the provisions of this act, are hereby repealed.

Emergency.

SEC. 17. An emergency is hereby declared to exist for the immediate taking effect of this act and the same shall, therefore, be in force from and after its passage.

[H. 101. Approved February 22, 1913.]

Vocational Education.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* The following words and phrases as used in this act shall, unless a different meaning is plainly required by the context, have the following meanings:

1. "Vocational education" shall mean any education the controlling purpose of which is to fit for profitable employment.

2. "Industrial education" shall mean that form of vocational education which fits for the trades, crafts and wage-earning pursuits, including the occupation of girls and women carried on in stores, workshops, and other establishments.

3. "Agricultural education" shall mean that form of vocational education which fits for the occupations connected with the tillage of the soil, the care of domestic animals, forestry and other wage-earning or productive work on the farm.

4. "Domestic science" education shall mean that form of vocational education which fits for occupations connected with the household.

5. "Industrial, agricultural or domestic science school or department" shall mean an organization of courses, pupils and teachers designed to give either industrial, agricultural or domestic science education as herein defined, under a separate director or head.

6. "Approved industrial, agricultural or domestic science school or department" shall mean an organization under a separate director or head, of courses, pupils and teachers approved by the state board of education designed to give either industrial, agricultural or domestic science education as herein defined.

7. "Evening class" in an industrial, agricultural or domestic science school or department shall mean a class giving such training as can be taken by persons already employed during the working day, and which in order to be called vocational must in its instruction deal with the subject-matter of the day employment, and be so carried on as to relate to the day employment; but evening classes in

domestic science relating to the home shall be open to all women over seventeen who are employed in any capacity during the day.

8. "Part-time classes" in an industrial, agricultural or domestic science school or department, shall mean a vocational class for persons giving a part of their working time to profitable employment and receiving in the part-time school or department, instruction complimentary to the practical work carried on in such employment. To give a part of their working time such persons must give a part of each day, week or longer period to such part-time class during the period in which it is in session.

Establishment of Schools.

SEC. 2. Any school city, town or township may through its board of school trustees or school commissioners or township trustee, establish vocational schools or departments for industrial, agricultural and domestic science education in the same manner as other schools and departments are established and may maintain the same from the common school funds or from a special tax levy not to exceed 10 cents on each \$100 of taxable property, or partly from the common school funds and partly from such tax. School cities, towns and townships are authorized to maintain and carry on instruction in elementary domestic science, industrial and agricultural subjects as a part of the regular course of instruction.

Classes—How Divided.

SEC. 3. In order that instruction in the principles and practice of the arts may go on together, vocational schools and departments for industrial, agricultural and domestic science education may offer instruction in day, part-time and evening classes. Such instruction shall be of less than college grade and be designed to meet the vocational needs of persons over 14 years of age who are able to profit by the instruction offered. Attendance upon such day or part-time classes shall be restricted to persons over 14 and under 25 years of age; and upon such evening classes to persons over 17 years of age.

Co-operative Schools.

SEC. 4. Two or more school cities, towns or townships or combinations thereof, may co-operate to establish and maintain vocational schools or departments for industrial, agricultural or domestic science education or in supervising the same, whenever the school board or township trustees of such school cities, towns or townships shall so determine and apportion the cost thereof among the cities, towns and townships co-operating. Whenever such co-operative schools or departments have been determined upon by any school cities, towns or townships, or combination thereof, the presidents of the school boards of the cities or towns and the township trustees of the townships co-operating shall constitute a board for the management of such school or department, such board may adopt for a period of one year or more, a plan of organization, administration and support for such school or department and the plan, if approved by the state board of education, shall constitute a binding contract between cities, towns and townships entering into a co-operation to support such schools and courses which shall be cancelled or annulled only by the vote of a majority of the school boards or township trustees of such school cities, towns or townships and the approval of the state board of education.

Studies—How Outlined.

SEC. 5. Elementary agriculture shall be taught in the grades in all town and township schools; elementary industrial work shall be taught in the grades in all city and town schools, and elementary domestic science shall be taught in the grades in all city, town and township schools. The state board of education shall outline a course of study for each of such grades as they may determine which shall be followed as a minimum requirement. The board shall also outline a course of study in agriculture, domestic science and industrial work, which they may require city, town and township high schools to offer as regular courses. After September 1, 1915, all teachers required to teach elementary agriculture, industrial work or domestic science shall have passed an examination in such subjects prepared by the state board of education.

State Board of Education—Duties.

SEC. 6. The state board of education is hereby authorized and directed to investigate and to aid in the introduction of industrial, agricultural and domestic science education, to aid cities, towns and townships to initiate and superintend the establishment and maintenance of schools and departments for the aforesaid forms of education; and to supervise and approve such schools and departments, as hereinafter provided. The board of education shall make a report annually to the general assembly describing the condition and progress of industrial, agricultural and domestic science education during the year and making such recommendations as they may deem advisable.

State Board Comprised of.

SEC. 7. The state board of education shall consist of the superintendent of public instruction, the presidents of Purdue university, the State university and the State normal school, the superintendents of schools of the three cities having the largest enumeration of children for school purposes annually reported to the state superintendent of public instruction, as provided by law, three citizens actively engaged in educational work in the state, at least one of whom shall be a county superintendent of schools, and three persons actively interested in, and of known sympathy with, vocational education, one of whom shall be a representative of employes and one of employers.

The governor shall appoint the members of the board, except the ex officio members, for a term of four years.

In the first instance one member shall be appointed for two years, one for three years and one for four years. The present appointive members shall serve until the expiration of the time for which they were appointed. The governor shall fill all vacancies occurring in the board for the unexpired term, and each member shall serve until his successor shall have been appointed and qualified.

The superintendent of public instruction shall, ex officio, be president of the board, and in his absence the members present shall elect a president pro tempore. The board shall elect one of its members secretary and treasurer, who shall have the custody of its records, papers and effects,

and shall keep minutes of its proceedings. The records, papers, effects and minutes shall be kept at the office of the superintendent, and shall be open for inspection. The board shall meet upon the call of the president, or a majority of its members, at such place in the state as may be designated in the call. They shall adopt and use a seal, on the face of which shall be the words "Indiana state board of education," or such other device or motto as the board may direct, an impression and written description of which shall be recorded on the minutes of the board and filed in the office of the secretary of state, which seal shall be used for the authentication of the acts of the board and the important acts of the superintendent of public instruction.

The board shall have all the powers and perform all the duties now imposed by law on the state board of education.

Appointments—How Made.

SEC. 8. The state superintendent of public instruction, with the advice and approval of the state board of education, shall appoint a deputy superintendent in charge of industrial and domestic science education who shall act under the direction of the state superintendent of public instruction in carrying out the provisions of this act. The salary and term of office of such deputy shall be fixed by the board and he shall be removable by the board only for cause.

The state superintendent, with the approval of the state board of education, is authorized to co-operate with Purdue university in the appointment of some person actively connected with the agricultural extension work at Purdue as an agent in supervising agricultural education, who shall serve in a dual capacity as an agent of the state superintendent and an assistant at Purdue university. The board and the authorities of Purdue university may fix the proportion of the salary of such agent to be borne by the state and by the university. Such person shall be subject to removal for cause by the state board of education.

All expenses incurred in discharge of their duties by deputies and agents shall be paid by the state from funds provided for in this act.

Advisory Committee.

SEC. 9. Boards of education or township trustees administering approved vocational schools and departments for industrial, agricultural or domestic science education, shall, under a scheme to be approved by the state board of education, appoint an advisory committee composed of members representing local trades, industries and occupations. It shall be the duty of the advisory committee to counsel with and advise the board and other school officials having the management and supervision of such schools or departments.

Admission to Schools—To Whom Made.

SEC. 10. Any resident of any city, town or township in Indiana, which does not maintain an approved vocational school or department for industrial, agricultural or domestic science education offering the type of training which he desires, may make application for admission to such school or department maintained by another city, town or township or any school of secondary grade maintaining an approved industrial, agricultural or domestic science school or department. The state board of education, whose decision shall be final, may approve or disapprove such application. In making such decision the board shall take into consideration the opportunities for free vocational training in the community in which the applicant resides; the financial status of the community; the age, sex, preparation, aptitude and previous record of the applicant, and all other relevant circumstances.

The school city or town or township in which the person resides, who has been admitted as above provided, to an approved vocational school or department for industrial, agricultural or domestic science education, maintained by another city, town or township or other school, shall pay such tuition fee as may be fixed by the state board of education, and the state shall reimburse such school city or town or township as provided for in this act. If any school city or town or township neglects or refuses to pay for such tuition, it shall be liable therefor in an action of contract to the school city or town or township or cities and towns and townships or other school maintaining the school which the pupil with the approval of the said board attended.

Compulsory Attendance.

SEC. 11. In case the board of education or township trustee of any city, town or township have established approved vocational schools for the instruction of youths over fourteen years of age who are engaged in regular employment, in part-time classes, and have formally accepted the provisions of this section, such board or trustee are authorized to require all youths between the ages of fourteen and sixteen years who are regularly employed, to attend school not less than five hours per week between the hours of 8 a. m. and 5 p. m. during school term.

County Agent—Petition.

SEC. 12. Whenever twenty or more residents of a county, who are actively interested in agriculture, shall file a petition with the county board of education for a county agent, together with a deposit of \$500.00 to be used in defraying expenses of such agent, the county board of education shall file said petition, within thirty days of its receipt, with the county council, which body shall, upon receipt of such petition, appropriate annually the sum of \$1,500.00 to be used in paying the salary and other expenses of said county agent. When the county appropriation has been made the county board of education shall apply to Purdue university for the appointment of a county agent whose appointment shall be made annually and be subject to the approval of the county board of education, and the state board of education. When such appointment has been made, there shall be paid annually from the state fund provided for in this act, to Purdue university, to be paid to the county providing for a county agent, an amount sufficient to pay one-half the annual salary of the county agent appointed as herein provided: *Provided*, That not more than \$1,000 shall be appropriated to any one county: *Provided, further*, That not more than thirty (30) counties during the year ending September 30, 1914; and sixty (60) counties during the year ending September 30, 1915, shall be entitled to state aid. It shall be the duty of such agent, under the supervision of Purdue university, to co-operate with farmers' institutes, farmers' clubs and other organizations, conduct practical farm demonstrations, boys' and girls' clubs and contest work and other movements for the advancement of agricul-

ture and country life and to give advice to farmers on practical farm problems and aid the county superintendent of schools and the teachers in giving practical education in agriculture and domestic science. The county board of education is hereby authorized to file monthly bills covering salary and expenses of county agent, the same to be approved by Purdue university, with the county auditor who shall draw his warrant or warrants on the county treasurer for the payment of same.

Cities and Towns—Reimbursed.

SEC. 13. Vocational schools or departments for industrial, agricultural and domestic science education shall so long as they are approved by the state board of education as to organization, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, employment of pupils and expenditures of money, constitute approved vocational schools or departments. School cities and towns and townships maintaining such approved vocational schools shall receive reimbursement as provided in this act.

State Maintenance.

SEC. 14. The state, in order to aid in the maintenance of approved vocational schools or departments for industrial, agricultural and domestic science education, shall, as provided in this act, pay annually to school cities and towns and townships maintaining such schools and departments an amount equal to two-thirds of the sum expended for instruction in vocational and technical subjects authorized and approved by the state board of education. Such cost of instruction shall consist of the total amount raised by local taxation and expended for the teachers of approved vocational and technical subjects. School cities and towns and townships that have paid claims for tuition in approved vocational schools shall be reimbursed by the state as provided in this act, to the extent of one-half the sums expended by such school cities and towns and townships in payment of such claims.

Claims for Reimbursement.

SEC. 15. Any school city, town or township having claims for reimbursement against the state under the provisions of this act shall present the same to the state board of education on or before July 1st of each year immediately following the completion of the work for which they are entitled to reimbursement from the state. The board shall if they approve the claim authorize its payment by the auditor of state who shall thereupon draw his warrant on the treasurer of state for the payment of the amount due such school city, town or township, from the fund provided in this act.

Annual Levy.

SEC. 16. To provide a state fund to carry out the provisions of this act, there shall be levied annually as a part of the state common school levy an additional levy of one cent on each one hundred dollars of taxable property in the state, which shall constitute a fund for the purposes of this act. Any part of the fund remaining at the close of any fiscal year shall be placed by the treasurer of state in a permanent fund for vocational education, the proceeds of which shall be used to aid in carrying out the provisions of this act.

Salaries and Expenses.

SEC. 17. A sum sufficient to pay the salaries and expenses of the deputies, agents and employes in carrying out the provisions of this act, and an amount sufficient to carry out the provisions of section 12 is hereby appropriated annually for two years, to be available on and after April 1, 1913. Thereafter all salaries and expenses shall be paid from the fund provided for in this act.

When Effective.

SEC. 18. This act shall take effect as to the provisions for state aid to approved vocational schools at the beginning of the school year 1914-1915. All other provisions of this act, including the provisions for a county agent, as provided in section 12, shall be in force from and after its publication.

Repeal.

SEC. 19. All laws and parts of laws in conflict herewith are hereby repealed.

[S. 137. Approved March 1, 1913.]

Schools—Agricultural and Domestic Science—Petition—Levy.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That whenever twenty-five (25) per cent. of the legal voters of any township, in the State of Indiana, wherein is situated a township high school, shall petition the township trustee, of such township, for the erection, construction and equipping of a room or building upon the grounds or real estate upon which such high school is situate, in which to teach and instruct the students of such township in the arts of agriculture, domestic science, or physical or practical mental culture, and in which to hold school or township entertainments, or to be used for township purposes, the township trustee, with the concurrence of the advisory board of such township, shall be authorized and empowered to provide such room or building, as may best suit such needs in such township, by erecting, building and equipping such room or building, as aforesaid, to meet the requirements and necessities therefor.

Buildings—Bonds Issued.

SEC. 2. For the purpose of raising funds for the building and construction of such room or building, as is provided in section 1 of this act, the township trustee of such township is hereby authorized and empowered, with the concurrence and sanction of the advisory board of such township, to issue and sell the bonds of such township in an amount sufficient to pay for the construction and equipping of such room or building, and to levy a tax on the taxable property of such township in an amount sufficient to discharge and satisfy such bonds so issued and sold; provided, such bonds shall be in equal series, and shall fall due, one each year, for a period of ten (10) years: *Provided, further*, That an amount not exceeding one (1) per cent. of the total amount of taxable property of any township may be

used and expended for the purpose of carrying out the provisions of this act.

Township Trustee—Maintenance.

SEC. 3. The township trustee, of any township, in the State of Indiana, shall, by the provisions of the act being first complied with, shall cause such room or building to be constructed and equipped for the teaching and instruction of agriculture science, domestic science, physical culture, practical mental culture, or in which to hold any school or township entertainments, or for other township purposes, may, and he is hereby authorized and empowered to maintain such room or building, for the purpose aforesaid, and to make a levy of taxes, on the taxable property of such township, sufficient to raise the necessary funds with which to maintain such room or building, and to conduct therein the courses of instruction mentioned herein.

Emergency.

SEC. 4. An emergency is hereby declared to exist for the immediate taking effect of this act, and the same shall be in full force and effect from and after its passage.

[H. 384. Approved March 6, 1913.]

Schools—Cities of Fifth Class—Charge of Public Library.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana,* That section 1 of an act entitled "An act to amend an act entitled 'An act to establish public libraries in connection with the common schools in all cities of 10,000 or more inhabitants, and to define the duties and powers of boards of school trustees, etc., in relation thereto,' approved March 7, 1881, to extend the provisions of said act to all cities and incorporated towns in the state."

That in all the cities and incorporated towns of this state the board of school trustees, board of school commissioners, or whatever board may be established by law to take charge of the public or common schools of said city or incorporated town, shall have power, if in their discretion they deem it to the public interest, to establish a free public library in connection with the common schools of said city or incor-

porated town, and to make such rules and regulations for the care and protection and government of such library and for the care of the books provided therefor, and for the taking from and returning to said library of such books as the said board may deem necessary and proper; and to provide penalties for the violation thereof: *Provided*, That in any city or incorporated town where there is already established a library open to all the people, no tax shall be levied for the purpose herein named: *Provided, further*, That in all cities, having according to the last preceding United States census not less than four thousand (4,000) nor more than four thousand five hundred (4,500) population, in which there is a public library open to all the people already established under the library laws of this state, supported in whole or in part by taxation, such board of school trustees, board of school commissioners, or other board established by law to take charge of the public or common schools of said city or incorporated town, shall have the power, by and with the consent of the public library board in charge of such library already established, to take over, receive and take full charge of such established library, together with all the property, whether real, personal or mixed, and support, maintain and operate such library the same as if such library had been originally established by such board, and for the purpose of supporting, maintaining, increasing and operating such library, such board shall have the power and authority to receive gifts and donations, and shall have the same power of taxation as vested by law in the public library board from which such library was taken over and received.

[H. 463. Approved March 15, 1913.]

Legal Holiday—Discovery Day.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section one (1) of the above entitled act be and the same is hereby amended to read as follows: Section 1. The first day of the week, commonly called Sunday; the first day of January, commonly called New Year's day; the fourth day of July; the twenty-fifth day of December, commonly called Christmas day; any day appoint-

ed or recommended by the president of the United States or the governor of Indiana as a day of public fasting or thanksgiving; the twelfth day of February, commonly called Lincoln's birthday; the twenty-second day of February, commonly called Washington's birthday; the thirtieth day of May, commonly called memorial day; the first Monday of September, commonly called labor day; the twelfth day of October, commonly known as discovery day; and the day of any general, national or state election, shall be legal holidays within the State of Indiana for all purposes. And when any of said holidays (other than Sunday) comes on Sunday, the Monday next succeeding shall be the legal holiday.

[S. 113. Approved February 28, 1913.]

Soldiers and Sailors—Enumeration.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That beginning with the year 1913, and every year thereafter, the school trustees of the several townships, towns and cities of this state, at the time when they take or cause to be taken, the enumeration of all unmarried persons between the ages of six (6) and twenty-one (21) years, resident within the respective townships, towns or cities, as provided for in the laws of this state, shall likewise be required to take or cause to be taken, by the same person who takes such school enumeration, a supplementary enumeration of all persons living within such townships, who served in the army or navy of the United States during the Mexican war, the Civil war or the Spanish-American war, or who have served one or more enlistments in the United States army, the United States navy, or the national guards. In taking or causing to be taken such supplementary enumeration, the trustee or person so employed shall list the full names and ages of such soldiers and sailors, the company, regiment or battery in which they served, and the state from which they enlisted. Each person required or employed to take such enumeration shall take the same accurately and truly to the best of his skill and ability.

Duplicate Lists—Filed with State Library.

SEC. 2. Such supplementary enumeration lists shall be prepared in duplicate, on separate sheets or lists, which shall be provided for that purpose. And when the enumeration of all such soldiers and sailors shall have been completed and when the duplicate enumeration lists, herein provided for, shall have been prepared and authenticated, the township trustee of each and every township in this state shall deposit one (1) copy of such supplementary enumeration lists in the office of the clerk of the circuit court of the county in which his township is situated, and he shall enclose such other list securely in an envelope and mail it to the state librarian of this state, and the lists so secured and obtained shall be classified and bound and deposited in the archives of the state library.

Emergency.

SEC. 3. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[H. 301. Approved March 15, 1913.]

Preamble.

WHEREAS, The board of school trustees of the school town of French Lick, Indiana, did on the 19th day of August, 1912, enter into a certain contract with one, William H. Lutes, for the erection of a heating plant in connection with the public school buildings in said town and for the construction of sewers, closets and making repairs on said buildings, which contract was made pursuant to a certain resolution of said board, enacted for the purpose; and

WHEREAS, Pursuant to said contract said work so contracted was done and turned over to and accepted by said school town, and said town has ever since had the use and benefit of said improvements; and

WHEREAS, Said school trustees, pursuant to a resolution of the board of trustees of said town of French Lick, issued bonds of said school town in the sum of four thousand

dollars (\$4,000.00) for the purpose of raising revenue sufficient to pay for said improvements; and

WHEREAS, Said bonds were duly advertised and offered for sale by said board of school trustees on the 12th day of October, 1912, and were duly sold to said contractor on said day; and

WHEREAS, Some questions have arisen as to the regularity and validity of said proceedings for said improvements, and of the contract made and bonds issued and sold thereunder;

THEREFORE, For the purpose of removing such doubts as to the validity and regularity of said proceedings, including said contract and said bonds:

French Lick—Acts of School Board Legalized.

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That all proceedings had and done by the board of school trustees of the school town of French Lick, Indiana, during the year 1912, of and concerning the construction of a heating plant in connection with the public school buildings of said town and making other additions and improvements thereto, including a certain contract for said improvements as entered into for the purpose, on the 19th day of August, 1912, including the bonds issued by said board on the 15th day of October, 1912, for the payment of said improvements, and all and singular the orders made, steps taken and things done by said board and others in pursuance of and subsequent to the resolution passed by said board of school trustees authorizing said improvements, or in connection therewith, including the acceptance of said improvements and the sale of said bonds, are hereby legalized and declared valid: *Provided*, That nothing in this act shall in any way affect any suit now pending in any court of the State of Indiana, touching any of the matters included herein.

Emergency.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

[S. 540. Approved March 14, 1913.]

State Song—"On the Banks of the Wabash, Far Away."

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That the song entitled, "On the Banks of the Wabash, Far Away," words and music by Paul Dresser, be and is hereby established as the state song of Indiana. The form in which this song shall be sung as the state song of Indiana shall be as follows:

'Round my Indiana homestead wave the cornfields,
In the distance loom the woodlands clear and cool,
Often times my tho'ts revert to scenes of childhood,
Where I first received my lessons—nature's school.
But one thing there is missing in the picture,
Without her face it seems so incomplete,
I long to see my mother in the doorway,
As she stood there years ago, her boy to greet.

Chorus.

Oh, the moonlight's fair tonight along the Wabash,
From the fields there comes the breath of new-mown hay,
Through the sycamores the candle lights are gleaming,
On the banks of the Wabash, far away.

Many years have passed since I strolled by the river,
Arm in arm, with sweetheart Mary by my side,
It was there I tried to tell her that I loved her,
It was there I begged of her to be my bride.
Long years have passed since I strolled thro' the church-
yard,
She's sleeping there, my angel, Mary dear,
I loved her, but she thought I didn't mean it,
Still I'd give my future were she only here.

[Approved March 15, 1913.]

State Flower—Carnation.

Be it Resolved, By the House of Representatives, the Senate concurring, That the carnation be and the same is hereby adopted as the state flower of the State of Indiana.

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